



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 21] शिमला, शनिवार, 29 दिसम्बर, 1973/8 पौष, 1895 [संख्या 52

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29 दिसम्बर, 1973/8 पौष, 1895 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 4-37/73-Rev. Cell, dated the 21st December, 1973.	Revenue Department	Acquisition of land for Reservoir Area for Beas Dam at Pong in Tikka Naleti.
No. 4-37/73-Rev. Cell, dated the 21st December, 1973.	-do-	Acquisition of land for Reservoir Area for Beas Dam at Pong in Tikka Patta.
No. 5-39/72-LR, dated the 21st December, 1973.	Law Department	The Himachal Pradesh Departmental Enquiries (Powers) Act, 1973 (Act No. 25 of 1973).

भाग 1—बैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार PERSONNEL (A-II) DEPARTMENT NOTIFICATIONS Simla-2, the 29th November, 1973

No. 7-17/71-DP (Apptt. II).—In continuation* of this department notification of even number, dated the 26th June, 1972, the following amendments to the Himachal Pradesh Public Service Commission (Payment of Remuneration to Advisers) Rules, 1971 are hereby notified:—

Rule No. 4.—TRAVELLING ALLOWANCE AND DAILY ALLOWANCE

The existing provision is deleted.

Rule. No 5.—The existing provision be numbered as (i), (ii) and (iii) and the following proviso added after (iii) as No. (iv)—

“(iv)—Provided further that the non-official advisers may at the discretion of the Chairman of the Commission be permitted to travel by air-conditioned accommodation by rail or by air or by a private car.”

This amendment will be effective from the date when the parent rules became operative, i. e. with effect from 26th June, 1972, so as to enable the Audit Office to admit/regularise all the post cases.

Rule No. 6.—The existing rule No. 6 (a) may be substituted as under:—

“6 (A)—Daily allowance will be paid to every non-official advisers @Rs. 20 per day.”

U. N. SHARMA,
Chief Secretary.

(SECRETARIAT ADMINISTRATION SERVICES)

Simla-2, the 7th December, 1973

No. 12-3/70-SAS.—The Governor, Himachal Pradesh is pleased to transfer the following permanent posts borne on the cadre of the Himachal Pradesh Secretariat to the Revenue Department with immediate effect for integration in the cadre of Tehsildars:—

1. Clerk of Court in the pay One post,
scale of Rs. 350-800.
2. Inspector of Registration- Two posts.
cum-Stamp Auditor, in
the pay scale of Rs.
350-800.
3. Stamp Auditor in the One post, to continue
pay scale of Rs. 200-450. till the existing per-
manent incumbent
holds lien on this
post. On vacation of
lien this post will be
deemed to have been
abolished.

2. The Governor, Himachal Pradesh is further pleased to order the transfer of the services of Shri Devi Lal Sharma, permanent Stamp Auditor and officiating Inspector of Registration-cum-Stamp Auditor to the Revenue Department with immediate effect.

By order,
U. N. SHARMA,
Chief Secretary.

Simla-2, the 10th December, 1973

No. 1-15/73-DP-Apptt.—The Governor, Himachal Pradesh is pleased to order that Shri B. K. Sharma, Member (Administration), Himachal Pradesh State Electricity Board, shall also look after the work of the post of the Director, Himachal Pradesh Institute of Public Administration in addition his own duties until further orders.

Simla-2, the 11th December, 1973

No. 10-6/67-DP-Apptt. (I) Vol-II.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor, Himachal Pradesh, is pleased to appoint Shri M. C. Chauhan, Tehsildar Theog, District Simla, to be the Magistrate Second Class, with all the powers of a Magistrate Second Class, under the said Code, to be exercised within the local limits of Theog Sub-Division of Simla District, with immediate effect.

A. K. GOSWAMI,
Joint Secretary.

FOREST DEPARTMENT NOTIFICATION

Simla-2, the 11th December, 1973

No. 8-3/73-SF(CCD).—Whereas it is considered necessary that portion of forest specified in the Schedule below, shall be closed for a period of 15 years and that the rights of the private persons shall be suspended during such period, for the purpose of regeneration and artificially restocking the area in order to check erosion and denudation and whereas remainder of such forest is sufficient and in a locality reasonably convenient for the due exercise of the rights suspended in portion so closed and whereas it is further considered necessary to prohibit the doing of any or all of the acts, mentioned in clause (e) section 30 of the Indian Forest Act, XVI of 1922.

Now, therefore, in exercise of the powers conferred by section 30 of the Indian Forest Act, 1927, the Governor of Himachal Pradesh is pleased to declare that the portion of Bhajund demarcated protected forest declared as such vide Himachal Pradesh Notification No. Ft. 29-241-BB/49, dated 25-2-1952, situated in Lahaul Range of Pangi Forest Division as per Schedule given below shall remain closed for a period of 15 years from the date of publication of this notification in the Himachal Pradesh Government Gazette and that rights of private persons over this area shall remain suspended during the period of 15 years and he is further pleased to prohibit from the said date:—

1. Quarrying and removal of stone.
2. The burning of lime and charcoal.
3. The breaking up and clearing for cultivation, buildings, for bearing cattle or for purpose of any land in this area.
4. Grazing by all kinds of animals through out the year.
5. Lopping and cutting of trees and bushes throughout the year.
6. Cutting of grass throughout the year.
7. The collection or subjection to or removal of any forest produce in or over or from the forest so closed.

Note.—Grass cutting may be permitted free to right-holders on permit on such terms and conditions as may be made and imposed at the discretion of the Divisional Forest Officer, Pangi Forest Division, Kilar.

SCHEDULE

District Chamba, Total Area: 53 hecfs.
Tehsil: Pangi, Area to be closed:
10 hecfs.

Name of Forest:
Bhajund. D.P.F.

BOUNDARIES

North	South	East	West
D.P.F. Bhajund,	D.P.F. Bhajund	DPF Bha-	Bhajund
Chander Bhaga		jund and	D.P.F.
River.		Chander	
		Bhaga River.	

By order,
P. K. MATTOO,
Secretary.

INDUSTRIES DEPARTMENT NOTIFICATION

Simla-2, the 11th -December, 1973

No. 420/72-SI (NF) II.—Consequent upon the transfer of Shri A. K. Sharma from the office of Commissioner and Director of Industries, Uttar Pradesh, the Governor of Himachal Pradesh is pleased to accept the resignation tendered by him from the Directorship of the Board of Directors of Nahan Foundry Ltd., Nahan, with effect from 28th August, 1973.

By order,
P. K. MATTOO,
Secretary.

LAW DEPARTMENT NOTIFICATIONS

Simla-2, the 14th December, 1973

No. 10-3/72-LR.—Continuation this Department notification of even number, dated the 3rd October, 1973.

In exercise of the powers conferred upon him under section 492 of the Code of Criminal Procedure, 1898, the Governor of Himachal Pradesh is pleased to appoint Shri Birbal Sharma, Government Advocate, Una, to be *ex-officio* public prosecutor for all the Criminal Courts within the jurisdiction of Una district for further period of six months with effect from 1st December, 1973 or till the appointment of a regular District Attorney/Assistant District Attorney whichever is earlier.

Simla-2, the 14th December, 1973

No. 10-3/72-LR.—Continuation this Department notification of even number, dated the 8th October, 1973.

2. In exercise of the powers conferred upon him under section 492 of the Code of Criminal Procedure, 1898, the Governor of Himachal Pradesh is pleased to appoint Shri P. S. Pathania, Government Advocate, Hamirpur to be *ex-officio* public prosecutor for all the Criminal Courts within the jurisdiction of Hamirpur district for further period of six months with effect from 1st December, 1973 or till the appointment of a regular District Attorney/Assistant District Attorney, whichever is earlier.

JOSEPH DINA NATH,
Deputy Secretary.

PLANNING DEPARTMENT NOTIFICATION

Simla-2, the 14th December, 1973

No. 9-33/71-Plan.—In partial modification of Sl. No. 2 of para 2 of this Department Notification No. 9-39/71-Plan (Estt.) (a), dated the 13th December, 1971, the Governor of Himachal Pradesh is pleased to allow proforma promotion under the provisions of next below rule to Shri T. S. Bhasin, as District Statistical Officer, in the scale of Rs. 350-25-500-30-590/30-800, with effect from the 13th December, 1971, who is working against the *ex-cadre* post of the Research Officer in the Economics and Statistical Organisation, Punjab.

By order,
U. N. SHARMA,
Chief Secretary.

PUBLIC WORKS DEPARTMENT NOTIFICATION

Simla-2, the 13th December, 1973

No. 2-7/73-PWD (B).—The non-official members of the Consultative/Advisory Committee to the Public Works Minister, constituted vide Notification No. 27-7/72-PWD (B), dated the 23rd October, 1973, will be entitled to travelling allowance and daily allowance for the journeys undertaken by them for attending the meetings of the Committee as per Annexure enclosed.

2. The prior concurrence of F.D. (Regulation Section) obtained vide their U.O. No. 3126, dated 23-11-1973.

ANNEXURE

T.A. & D.A. to the Non-Official Members:

The non-official members who are members of the Vidhan Sabha will be entitled to travelling allowance as admissible to them under Salaries & Allowances of the Member of the Legislative Assembly, Himachal Pradesh Act as amended from time to time. They will also be entitled to daily allowance for each day of the meeting at the same rate and on the same conditions as are applicable to them as member Vidhan Sabha to attend the session.

2. In the case of non-official members who are members of Vidhan Sabha or the Vidhan Sabha Committee on which the member is serving, is in session will not be entitled to daily allowance in connection with this assignment, when the Vidhan Sabha or the Vidhan Sabha Committee on which the member is serving, is in session, as they will be drawing their daily allowance under the Salaries and Allowances of Members of the Legislative Assembly (Himachal Pradesh) Act, 1971 from the Vidhan Sabha. However, if he certifies that he was prevented from attending the session of the House of Vidhan Sabha Committee and did not draw any daily allowance from the Vidhan Sabha he would be entitled to daily allowance at the rate as admissible to him as M.L.A.

The provision of rule 4.17 and 6.1 of Himachal Pradesh Treasury Rules will apply *mutatis mutandis* in the case of overpayment made on account of travelling allowance to non-official members.

3. The expenditure involved on travelling allowance and daily allowance of the non-official members will be debitable to the budget grant of the Public Works Department under Major Head "50-Public Works Other Works D-Public Works-D-3-Estt.-D-3(1) Direction-D-3 (1) (3) Allowances, Honoraria etc. (travelling allowance.)

4. The Controlling Officer in regard to countersign the Travelling Allowance Bills of the non-official members of this Committee will be the Secretary (Public Works Department), Himachal Pradesh.

H. S. DUBEY,
Secretary.

REVENUE DEPARTMENT NOTIFICATIONS

Simla-2, the 7th December, 1973

No. 2-27/73-Rev. I.—In exercise of the powers vested in him under clause (a) of sub-section (1) of section 28 of the Himachal Pradesh Land Revenue Act, 1953 (6 of 1954), the Governor, Himachal Pradesh, is pleased to confer on the following officers, all the powers of a Collector under the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, subject to the control of the Collector of the District, from the date they took over the charge of the post:

<i>Name of Officer</i>	<i>Area of jurisdiction</i>
1. Shri J. C. Dutta Sub-Divisional Officer (Civil), Theog, District Simla.	Theog Sub-Division.
2. Shri Netar Mani Sharma Sub-Divisional Officer (Civil), Jogindernagar, District Mandi.	Jogindernagar Sub-Division.
3. Shri Lalji Singh, Sub-Divisional Officer (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division.

Simla-2, the 7th December, 1973

No. 2-27/73-Rev. I.—In exercise of the powers vested in him under clause (a) of section 2 of the Punjab Village Common Lands (Regulation) Act, 1961 (XVIII of 1961) as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Reorganisation Act, 1966 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to confer on the following officers, all the powers of a Collector for the purpose of section 10(A) of the said Act to be exercised by them within the local jurisdiction as specified against each, from the date they took over the charge of the post:—

<i>Name of Officer</i>	<i>Area of jurisdiction</i>
1. Shri Ashok Mohapatra, I.A.S., Sub-Divisional Officer (Civil) Nurpur, District Kangra.	Nurpur Sub-Division.
2. Shri Nand Lal Thakur, Sub-Divisional Officer (Civil) Nalagarh, District Solan.	Nalagarh Sub-Division.
3. Shri J. C. Thapar, Sub-Divisional Officer (Civil) Palampur, District Kangra.	Palampur Sub-Division.
4. Shri I. D. Kaushal, Sub-Divisional Officer (Civil Solan, District Solan (Himachal Pradesh).	Solan Sub-Division.
5. Shri Lalji Singh, Sub-Divisional Officer (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division.
6. Shri P. C. Dogra General Assistant II to Deputy Commissioner, Kangra.	Kangra District.

Simla-2, the 7th December, 1973

No. 2-27/73-Rev. I.—In exercise of the powers vested in him under section 2 (b) of the Punjab Occupancy Tenants (Vesting of Proprietary Rights) Act, 1952 (8 of 1953), as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Reorganisation Act, 1966, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to specially empower the following officers, who are Assistant Collectors of the First Grade, to perform the duties of a Collector under the said Act, to be exercised by them the within local limits of their respective jurisdictions as specified against each, from the date they took over the charge of the post:—

<i>Name of Officer</i>	<i>Area of jurisdiction</i>
1. Shri Ashok Mohapatra, I.A.S., Sub-Divisional Officer (Civil), Nurpur, District Kangra.	Nurpur Sub-Division.
2. Shri J. C. Thapar, Sub-Divisional Officer (Civil), Palampur, District Kangra.	Palampur Sub-Division.
3. Shri Nand Lal Thakur, Sub-Divisional Officer (Civil), Nalagarh, District Solan.	Nalagarh Sub-Division.
4. Shri Lalji Singh, Sub-Divisional Officer (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division.
5. Shri P. C. Dogra, General Assistant II to Deputy Commissioner, Kangra.	Kangra district.

Simla-2, the 7th December, 1973

No. 2-27/73-Rev. I.—In exercise of the powers vested in him under section 77 (4) (b) of the Punjab Tenancy Act, 1887, as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Reorganisation Act, 1966, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to specially empower the following Assistant Collectors of First Grade to hear and determine any of the suits mentioned in the First Group of section (3) of the section 77 of the said Act and they shall exercise the said powers within the local limits of their respective jurisdictions as specified against each, from the date they took over the charge of the post:—

<i>Name of Officer</i>	<i>Area of jurisdiction</i>
1. Shri Ashok Mohapatra, I. A. S., Sub-Divisional Officers (Civil), Nurpur, District Kangra.	Nurpur Sub-Division.
2. Shri J. C. Thapar, Sub-Divisional Officer (Civil), Palampur, District Kangra.	Palampur Sub-Division.
3. Shri Nand Lal Thakur, Sub-Divisional Officer (Civil), Nalagarh, District Solan.	Nalagarh Sub-Division.
4. Shri Lalji Singh, Sub-Divisional Officer (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division.
5. Shri P. C. Dogra, General Assistant II to Deputy Commissioner, Kangra.	Kangra district.

Simla-2, the 7th December, 1973

No. 2-27/73-Rev. I.—In exercise of the powers vested in him under section 3 (2) of the Punjab Restitution of Mortgaged Lands Act, 1938, as in force in the

areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to specially empower the following officers, who are Assistant Collectors of the First Grade, to perform the duties of a Collector for the purposes of the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, from the date they took over the charge of the post:—

Name of Officer	Area of jurisdiction
1. Shri Ashok Mohapatra, I.A.S., Sub-Divisional Officer (Civil), Nurgpur, District Kangra.	Nurgpur Sub-Division.
2. Shri J. C. Thapar, Sub-Divisional Officer (Civil), Palampur, District Kangra.	Palampur Sub-Division.
3. Shri Nand Lal Thakur, Sub-Divisional Officer (Civil), Nalagarh, District Solan.	Nalagarh Sub-Division.
4. Shri Lalji Singh, Sub-Divisional Officer (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division.
5. Shri P. C. Dogra, General Assistant II to Deputy Commissioner, Kangra.	Kangra district.

Simla-2, the 7th December, 1973

No. 2-27/73-Rev. I.—In exercise of the powers vested in him under clause (b) of sub-section (1) of section 27 of the Punjab Land Revenue Act, 1887 (17 of 1887), as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to confer on the following officers all the powers of an Assistant Collector 1st Grade under the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, from the date they

took over the charge of the post:—

Name of Officer	Area of jurisdiction
1. Shri Ashok Mohapatra, I.A.S., Sub-Divisional Officer (Civil), Nurgpur, District Kangra.	Nurgpur Sub-Division.
2. Shri J. C. Thapar, Sub-Divisional Officer (Civil), Palampur, District Kangra.	Palampur Sub-Division.
3. Shri Nand Lal Thakur, Sub-Divisional Officer (Civil), Nalagarh, District Solan.	Nalagarh Sub-Division.
4. Shri Lalji Singh, Sub-Divisional Officer (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division.
5. Shri P. C. Dogra, General Assistant II to Deputy Commissioner, Kangra.	Kangra district.

By order,
S. R. MAHANTAN,
Deputy Secretary.

Simla-2, the 11th December, 1973

No. 2-38/65-Rev. I.—In partial modification of this Department's Notification of even number, dated the 22nd November, 1973, the Financial Commissioner, Himachal Pradesh is pleased to order the following postings and transfers of the Tehsildars in the public interests:—

Sl.No.	Name of Tehsildar	From	To
1.	Shri Lajja Ram Dhauta.	Arki, District Solan.	Rampur, District Simla, vice Shri S. K. Chauhan.
2.	Shri S. K. Chauhan.	Rampur, District Simla.	Chamba Sadar vice Shri Brinjendar Mohan.

By order,
K. C. CHAUHAN,
Under Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

FORM S. C. 5

Notice of publication of Draft Scheme

In pursuance of the provisions of sub-section (2) of section 7 of the Punjab Land Improvement Schemes Act, 1963, the District Land Improvement Committee, Kulu, hereby publishes the Draft Scheme prepared under sub-section (1) of the aforesaid section.

Notice of the publication of the Scheme is hereby given in accordance with the provisions of section 8 of the Act. All persons affected by the scheme who wish to make any claim or to submit any objection to the draft scheme may do so in writing or by appearing personally before the Inquiry Officer, Agricultural Inspector (S. C.) Kulu/Nagwan on or within 30 days of publication of the draft scheme.

Draft Scheme prepared in accordance with section 5 of the Punjab Land Improvement Scheme Act, 1963 are appended.

M. M. NARANG,
Secretary,
Distt. Land Improvement Committee, Kulu.

FORM S.C. 4

DRAFT SCHEME PREPARED IN ACCORDANCE WITH SECTION OF THE PUNJAB ACT, 1963

District: KULU

Sub-Division: KULU

S. No.	Name of Phati and Kothi and District	Name of beneficiaries	Object of scheme	Approximate area to which these apply		Agency through which the work shall be carried out	The nature of work to be carried out	Condition, according to which the work shall be carried out
				Khasra No.	B.B.B.			
1	2	3	4	5	6	7	8	9
336.	Phati Bardi, Kothi Badagarh, Teh. and District Kulu.	Sh. Nand Lal s/o Sh. Hane Ram.	Prevention of erosion and improvement of productivity getting sustained yield and minor irrigation.	471, 516, 519	5-13-0	Self	B. T. cum stone bunding.	On 50% subsidy and 50% loan. The loan part repayable to the Govt. in ten annual equated instalment with in 15 years.
337.	Phati Halan, Kothi Nagar, Teh. and District Kulu.	Sh. Chander Sain s/o Sh. Anant Ram.	—do—	4752, 5012, 5030, 5031, 5095, 5163, 5084, 4839, 5013, 4834, 4835.	17-17-0	—do—	—do—	Repayable with effect after 5 years the date of the payment of soil conservation with 7% interest per year.
338.	Phati Kharal, Kothi Kais, Teh. and District Kulu.	Sh. Ram Dass s/o Sh. Dandua.	—do—	627, 628, 7613	5-5-0	—do—	—do—	Subsidy and Loan admissible to the beneficiaries with annual income Rs. 6000 or less.
339.	Phati Kharal, Kothi Kais, Teh. and District Kulu.	Sh. Dhanpat Rai s/o Sh. Dir Singh.	—do—	930, 937, 935	2-19-0	—do—	—do—	
340.	Phati Halan, Kothi Nagar, Teh. and District Kulu.	Sh. Channu s/o Sh. Luderu.	—do—	4476, 4736, 5072.	6-9-0	—do—	—do—	
341.	Phati Dugilag, Kothi Dugilag, Teh. & District Kulu.	Sh. Jinnu Ram s/o Sh. Churu.	—do—	3825, 4094, Intkal No. 826, Patta Nautor.	8-11-0	—do—	—do—	—do—
342.	—do—	Sh. Hiru s/o Sh. Shanolu.	—do—	4194, 4206, 4208.	4-11-0	—do—	—do—	—do—
343.	Phati Shilihar, Kothi Kotk andi, Teh. & District Kulu.	Sh. Jhabe Ram s/o Sh. Chetan Dass, Smt. Harju Devi w/o Shri Jhabe Ram.	—do—	Patta Nautor 291 Patta Nautor 82/4.	8-5-0	—do—	—do—	—do—
344.	Phati Diyar, Kothi Kotk andi, Teh. and District Kulu.	Sh. Shalag Ram s/o Sh. Dole Ram.	—do—	2906/264, 277, 280, 2909/281, 286, 276, 271, 272.	9-9-0	—do—	—do—	—do—
345.	Phati Shamshi, Kothi Khukhan, Teh. & District Kulu.	Sh. Bhimi Ram s/o Sh. Murlu Ram.	—do—	99	3-17-0	—do—	Drainage work.	—do—
346.	Phati Kharal Kothi Kais, Tehsil and District Kulu.	Sh. Mahinder s/o Sh. Amrit Rai, Smt. Parvati w/o Sh. Amrit Rai, Miss Puspa d/o Sh. Amrit Rai.	—do—	6385/1, 6304, 6384, min, 6384min, 6342, 6358/1, 7327, 6361, 7643/6277	19-11-0	—do—	Gravity irrigation.	—do—
347.	Phati Kharal, Kothi Kais, Tehsil and District Kulu.	Sh. Mangle Chand s/o Sh. Kalu Ram, Smt. Pritma Devi w/o Sh. Man Dass, Sh. Ram Nath s/o Sh. Kalu Ram, Sh. Man Dass s/o Sh. Kalu Ram, Sh. Kalu Ram, s/o Sh. Jatuu.	—do—	5378, 5379, 5380, 5377	7-12-0	—do—	B. T. cum stone bunding.	—do—

1	2	3	4	5	6	7	8	9
			Prevention of erosion and improvement of productivity getting sustained yield and minor irrigation.			Self	B.T.-cum-stone bunding.	Subsidy and Loan admissible to the beneficiaries with annual income 6,000 or less.
348	Phati Kotala, Kothi Bunga, Teh. Banjar, Distt. Kulu.	Sh. Shiv Ram, Sh. Sohan Singh s/o Sh. Khem Raj.	—do—	1165, 1166	8-1-0	—do—	—do—	—do—
349	Phati Kothi, Shain, Tehsil Seraj, Distt. Kulu.	Sh. Dhani Ram s/o Sh. Phatu.	—do—	2990, 2914, 2922.	3100/3103/	15-5-0	—do—	—do—
350	Phati Kothi Plach, Tehsil Seraj, Distt. Kulu.	Sh. Bhud Ram s/o	—do—	1190, 1224, 1575, 1950.	21-5-0	—do—	—do—	—do—
351	Phati Kanaun, Kothi Bunga, Teh. Seraj, Distt. Kulu.	Sh. Bhag Chand. Sh. Kuml Singh s/o Sh. Ash, Durga Dass s/o Sh. Ash, Smt. Sundari w/o Sh. Ash, Smt. Bantu w/o Sh. Ash.	—do—	249, 350, 1343/359, 375, 376.	20-16-0	—do—	—do—	—do—
352	Phati Kanaun, Kothi Bunga, Teh. Seraj, Distt. Kulu.	Sh. Thakru s/o Sh. Totu.	—do—	194	10-6-0	—do—	—do—	—do—
353	Phati Kothi Sharo, Tehsil and District Kulu.	Sh. Piyare Ram, Sh. Khim Dev, Sh. Dev Ram s/o Sh. Jhabe Ram, Smt. Santu d/o Smt. Gomti, Wali d/o Sh. Jhabe Ram.	—do—	981	10-1-0	—do—	—do—	—do—
354	Phati Shilihar, Kothi, Kotkandi, Teh. and Distt. Kulu.	Sh. Hukam Chand s/o Sh. Mahesh Chander, Sh. Pratap Chand, Sh. Gian Chand, Sh. Prem Chand s/o Sh. Hukam Chand.	—do—	3933, 3965, 3970, 3932, 3937/2, 3975, 3966, 4033.	30-2-0	—do—	Lift irrigation.	—do—

M. M. NARANG,

Secretary, Assistant Soil Conservation Officer, Kulu.

फार्म भू 5

प्राचुर्य प्रयोजन के प्रकाशन की सूचना

पंजाब भूमि सुधार प्रयोजना अधिनियम, 1963 की धारा 7 की उप-धारा (2) के उप-बन्धों के अनुसरण से जिला भूमि सुधार समिति, कुल्लू एतद्द्वारा पूर्वोक्त धारा की उप-धारा (1) के अधीन तैयार की गई प्राचुर्य प्रयोजना प्रकाशित करती है।

प्रयोजना के प्रकाशन की सूचना एतद्द्वारा अधिनियम की धारा 8 के उप-बन्धों के अनुसार दी जाती है। प्रयोजना से प्रभावित सभी व्यक्ति, जो कि प्राचुर्य प्रयोजना के बारे में किसी प्रकार का दावा करना चाहें, या कोई आपत्ति करना चाहें, कुल्लू स्थान पर जांच अधिकारी, कृषि निरीक्षक भूमि संरक्षण कुल्लू/नगवाई इस प्रयोजना के प्रकाशन होने के बाद 30 दिन के अन्दर या इस से पहले लिखित रूप में या व्यक्तिगत रूप में ऐसा कर सकते हैं।

पंजाब भूमि संरक्षण सुधार प्रयोजना अधिनियम, 1963 की धारा 5 के अनुसार की गई प्राचुर्य योजना नीचे दी गई है।

फार्म सी-4

पंजाब भूमि सुधार प्रयोजना अधिनियम की धारा के अनुसार तैयार की गई प्राचुर्य योजना ऐक्ट, 1963

उप-मण्डल: कुल्लू

जिला: कुल्लू हि० प्र०

स्कीम नाम फाटी, कोठी, नं० तहसील और जिला

मालिक का नाम योजना के उद्देश्य

अनुमानित क्षेत्र जिसमें यह कार्य किस प्रायोजना के शर्तें जिन के अनुसार प्रायोजना लागू होगी के द्वारा होगा अधीन होने निर्माण कार्य किया वाला कार्य जावेगा

खसरा न० बी० बी० बी०

1	2	3	4	5	6	7	8	9
336	फाटी बाडी, कोठी. बाडागढ़, श्री नन्द लाल भूमि संरक्षण तहसील कुल्लू, जिला, कुल्लू, सुपुत्र . श्री हंस राम । तरीके, अधिक	471, 513, 519	5-13-0	स्वयं खेतों का 50% सहायता के रूप विभाग कार्य तथा में तथा 50% कर्ज के द्वारा स्टोन बँडिंग रूप में दिया जाता है।				

1	2	3	4	5	6	7	8	9
		उपज लेना और छोटी पानी सिंचाई की स्कीम ।						कजें का भाग सरकार को वापिस दिया जाता है 10 बराबर किस्तों में 7% ब्याज सहित प्रति वर्ष के हिसाब से सरकार को वापिस दिया जाता है । पेमेंट निकलने के 5 साल बाद रिकवरी की वसूली की तिथी लागू होगी 15 सालों में पूरा किया जावेगा ।
337	फाटी हालन, कोठी नगर, तहसील कुल्लू, जिला कुल्लू ।	श्री चन्द्र सैन सुपुत्र श्री अनन्त राम ।	„	4752, 5012, 5030, 5031, 5095, 5163, 5094, 4839, 5013, 4834, 4835.	17-17-0	„	„	
338	फाटी खराल, कोठी कायस, तहसील और जिला कुल्लू ।	श्री राम दास सुपुत्र श्री धुन्द ।	„	627, 628, 7613	5-5-0	„	„	
339	फाटी खराल, कोठी कायस, तहसील और जिला कुल्लू ।	श्री धनपत राय सुपुत्र श्री दीर सिंह ।	„	939, 937, 935	2-19-0	„	„	सहायता के रूप का पैसा उस आदमी को दिया जाता है जिसकी ग्रामदानी 6,000 रु0 सालाना से कम हो ।
340	फाटी हालन, कोठी नगर, तहसील तथा जिला कुल्लू ।	श्री चनु सुपुत्र श्री लदरू ।	„	4476, 4736, 5072.	6-9-0	„	„	
341	फाटी कोठी डूगीलग, तहसील तथा जिला कुल्लू ।	श्री ज़ीनु राम सुपुत्र श्रीचुहड़ ।	„	3825, 4094, इन्तकाल नं0 826, पटा नौतोड़	8-11-0	„	„	
342	फाटी कोठी डूगीलग, तहसील तथा जिला कुल्लू ।	श्री हिरू सुपुत्र श्री सानोलु ।	„	4194, 4206, 4208.	4-11-0	„	„	
343	फाटी शिलहार, कोठी कोट कण्डी, तहसील तथा जिला कुल्लू ।	श्री झावे राम सुपुत्र श्री चतनदास, श्रीमती हरजू देवी धर्मपत्नी श्री झावेराम ।	„	पटा नौतोड़. 291, पटा नौतोड़ 82/4.	8-5-0	„	„	
344	फाटी दियार, कोठी कोटकण्डी, तहसील तथा जिला कुल्लू ।	श्री सालग राम सुपुत्र श्री डोलू ।	„	2906/264, 277, 276, 280, 2909/ 281, 286, 271, 272.	9-9-0	„	„	
345	फाटी शमशी, कोठी खुखन, तहसील तथा जिला कुल्लू ।	श्री भीमी राम सुपुत्र श्री मारलु ।	„	99	3-17-0	„	जमीन के अन्दर नाली बनाना ।	
346	फाटी खराल, कोठी कायस, तहसील तथा जिला कुल्लू ।	श्री महिन्दर सुपुत्र श्री अमरीत राय, श्रीमती पार्वती धर्म- पत्नी श्री अमरीत राय, मीस पुष्पा सुपुत्री श्री अमरीत राय ।	„	6385/1, 6304, 6384 मिन, 6384 मिन, 6342, 6358/1, 6327, 6351, 7643/ 6277.	19-11-0	„	सिंचाई योजना	
347	फाटी खराल, कोठी कायस, तहसील तथा जिला कुल्लू ।	श्री मंगल चन्द, रामनाथ, मानचन्द सुपुत्र श्री कालू राम श्री कालू राम सुपुत्र श्री जाटू, श्रीमती प्रतिमा देवी धर्म- पत्नी श्री मानदास ।	„	5378, 5379, 5380, 5377.	7-12-0	„	खेतों का कार्य तथा स्टोन बँडिंग ।	

1	2	3	4	5	6	7	8	9
348	फाटी कोटला, कोठी बुंगा, तहसील सराज, (बंजार) जिला कुल्लू।	श्री शिवराम सोहन सिंह सुपुत्र श्री खेम राज।	उपज लेना 1165, छोटी पानी सिंचाई की स्कीम	1166	8-1-0	„	„	
349	फाटी शेण, कोठी शेण, तहसील सराज, जिला कुल्लू।	श्री धनी राम सुपुत्र श्री कतु।	„	2909, 2914, 2922।	3100/ 3102/	15-15-0	„	„
350	फाटी पलाच, कोठी पलाच, तहसील सराज, जिला कुल्लू।	श्री बुध राम सुपुत्र श्री भाग चन्द।	„	1190, 1575,	1224, 1950।	21-5-0	„	„
351	फाटी कनोन, कोठी बुंगा, तहसील सराज, जिला कुल्लू।	श्री कुमाल सिंह, श्री दुर्गा दस सुपुत्र श्री अश, श्रीमती सुन्दरी सुपुत्री श्री अश, श्रीमती वन्तु धर्म-पत्नी श्री अश।	„	249, 350, 359, 375।	1343/ 376।	20-16-0	„	„
352	फाटी कनोन, कोठी दुंगा, तहसील सराज, जिला कुल्लू।	श्री ठाकरू सुपुत्र श्री तोनु।	„	194	10-6-0	„	„	
353	फाटी सारची, कोठी सारची, तहसील सराज, जिला कुल्लू।	श्री प्यारे राम खेम देव, देवराम सुपुत्र श्री झावेराम श्रीमती शान्तु, सुपुत्री श्रीमती गोमती वाली धर्म-पत्नी श्री झावेराम।	„	981	10-1-0	„	„	
354	फाटी शिलिहार, कोठी कोटकण्डी, तहसील तथा जिला कुल्लू।	श्री हुकम चन्द सुपुत्र श्री महेश चन्द श्री प्रताप चन्द, श्री ज्ञान चन्द।	„	3933, 3970, 3937/2, 3986,	3965, 3932, 3979, 4033।	30-2-0	„	पानी उपर उठाकर सिंचाई योजना।

एम० एम० नारंग,
सचिव,
सहायक भूमि संरक्षण अधिकारी, कुल्लू।

**OFFICE OF THE DEPUTY COMMISSIONER,
BILASPUR DISTRICT**

NOTIFICATION

Bilaspur, the 12th November, 1973

No. BLP. 6-12/70-6371-6510.—In accordance with the powers vested in me under section 194 of the Himachal Pradesh Panchayati Raj Act, 1968, read with rule 3 of the Himachal Pradesh Nyaya Panchayat Rules, 1973, I, Narbir Singh, Deputy Commissioner, Bilaspur, hereby establish the following Nyaya Panchayat in Bilaspur district showing their jurisdiction against each with immediate effect. This supersedes all previous not-

fications in this behalf:—

Sl. No.	Block	Name of Nyaya Panchayat established	Jurisdiction of the Nyaya Panchayat
1	2	3	4
1.	Sadar	Lakhanpur	Gram Sabha area Lakhanpur, excluding municipal area.

1	2	3	4	1	2	3	4	5
2.	Sadar	Nowa	Gram Sabha Nowa.	56.	Ghumarwin	Padyalag	Gram Sabha Padyalag.	
3.	"	Chandpur	"	57.	"	Dangar	"	Dangar.
4.	"	Oyal	"	58.	"	Bhupral	"	Bhupral.
5.	"	Deoli	"	59.	"	Lehri Sarel	"	Lehri Sarel.
6.	"	Bandla	"	60.	"	Barota	"	Barota.
7.	"	Makri Mar-	"	61.	"	Ghandalwin	"	Ghandalwin.
8.	"	kand).	"	62.	"	Pantehra	"	Pantehra.
9.	"	Dhartatoh	"	63.	"	Marhana	"	Marhana.
10.	"	Dhaunkothi	"	64.	"	Kot	"	Kot.
11.	"	Panjgain	"	65.	"	Talwara	"	Talwara.
12.	"	Bhater Nichli.	"	66.	"	Hatwar	"	Hatwar.
13.	"	Deoth	"	67.	"	Morsinghi	"	Morsinghi.
14.	"	Chharol	"	68.	"	Dabhla	"	Dabhla.
15.	"	Rani Kotla	"	69.	"	Kothi	"	Kothi.
16.	"	Suin Sarwa-	"	70.	"	Seu	"	Sue.
17.	"	har.	"	71.	"	Patta	"	Patta (exclud-
18.	"	Chhakoh	"	72.	"	Ghumarwin	"	ing Municipal
19.	"	Panjail	"	73.	"	Luharwin	"	area).
20.	"	khurd	"	74.	"	Malayawar	"	Ghumarwin (ex-
21.	"	(Dhuni Pan-	"	75.	"	Nanawan	"	cluding N.A.
22.	"	jail).	"	76.	"	Rohin	"	C.).
23.	"	Jukhala	"	77.	"	Harlog	"	Ghumarwin.
24.	"	Kotla	"	78.	"	Majhwar	"	Malayawar.
25.	"	Namhol	"	79.	"	(Kuh-majh-	"	Nanawan.
26.	"	Tali (Jaka-	"	80.	"	war).	"	Rohin.
27.	"	tkhana).	"	81.	"	Mehrika-	"	Harlog.
28.	"	Kutehla	"			thla.	"	Majhwar (Kuh-
29.	"	Behal	"				"	majhwar).
30.	"	Sawahan	"				"	
31.	"	Dabhat	"				"	
32.	"	Majari.	"				"	
33.	"	Dharot	"				"	
34.	"	Nakrana	"				"	
35.	"	Bhakra	"				"	
36.	"	Tarsuh	"				"	
37.	"	Brahmni	"				"	
38.	"	Kalan.	"				"	
39.	"	Changer	"				"	
40.	"	Talai.	"				"	
41.	"	Ghandeer	"				"	
42.	"	Kalol	"				"	
43.	"	Sanihra	"				"	
44.	"	Gharahan	"				"	
45.	"	Salwar	"				"	
46.	"	Dhani	"				"	
47.	"	Paploa	"				"	
48.	"	Nakhlehra	"				"	
49.	"	Dahad	"				"	
50.	"	Gehrwin	"				"	
51.	"	Samoh	"				"	
52.	"	Badol	"				"	
53.	"	Behna Jat-	"				"	
54.	"	tan.	"				"	
55.	"	Jhandutta	"				"	
56.	"	Behna Bra-	"				"	
57.	"	hmna.	"				"	
58.	"	Auhar	"				"	
59.	"	Bakroa	"				"	
60.	"	Berthin	"				"	
61.	"	Badgaon	"				"	
62.	"	Baloh	"				"	
63.	"	Chhat	"				"	
64.	"	Karlotti	"				"	
65.	"	Paplah	"				"	
66.	"	Gahar	"				"	
67.	"	Gahar	"				"	

Sd/-
Deputy Commissioner.

DIRECTORATE OF EMPLOYMENT & TRAINING NOTIFICATION

Simla-2, the 28th November, 1973

No. I&S.15.(EMI) 28/62.—In continuation to the notification of even number, dated the 15th December, 1972, I, in exercise of the powers vested in me vide section 6 of the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959, read with rule 7 of the Employment Exchanges (C.N.V.) Rules, 1960, also hereby authorise the following officers to have access to any relevant record or document in possession of any employer required to furnish any information or returns under section 5 of the Act and to enter at any reasonable time any premises where he believes such record or document to be and inspect or take copies of relevant record or document or ask any question necessary for obtaining any information required under that section:—

1. Assistant Director (Enforcement) Directorate of Employment and Training, Himachal Pradesh, for entire State of Himachal Pradesh.
2. State Vocational Guidance Officer, Himachal Pradesh, for entire State of Himachal Pradesh.

VINOD LALL,
Director.

PUBLIC WORKS DEPARTMENT NOTIFICATIONS

Simla, the 27th October, 1973

No. SE-II-R-27-4/2/733-37.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Guma-Baghi Road, it is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh P. W. D. is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh P. W. D., Simla-9.

SPECIFICATION

District: SIMLA Tehsil: KOTKHAI

Village	Khasra No.	Area	
		Big.	Bis.
KHORU	234	2	19

Simla-3, the 6th November, 1973

No. SE-II-R-54-2/1-22336-40.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the construction of Sawara-Mandal road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and serve any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Kasumpti, Simla-9.

SPECIFICATION

District: SIMLA Tehsil: JUBBAL

Village	Khasra No.	Area		Remarks
		Big.	Bis.	
1	2	3	4	5
JHANA	977/2/1	0	4	1.50.50
	976/1	0	1	00.37.63
Total		0	5	1.88.13

Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose it is hereby declared that the land described in the specification below is required for the said* purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1984 to all whom it may concern and under the provision of section 7 of the said Act, the Collector, Land Acquisition Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kasumpti, Simla-9.

No. SE-II-R-54-2/1-22366-70 Simla-3, the 6th November, 1973

*Construction of Kotkhai-Khaneti road

SPECIFICATION

District: SIMLA Tehsil: KOTKHAI

Village	Khasra No.	Area		Remarks
		Bis.	Bis.	
1	2	3	4	5
KUPRI	9	0	17	
	308/0/1	0	5	
	84/1	0	1	
	11	0	1	
	12	0	2	
	13/1	0	1	
Total		1	7	

No. SE-II-R-54-2/1-22356-60 Simla-3, the 6th November, 1973.

PARALI 1176/1 0 2

No. SE-II-R-54-2/1-22351-55 Simla-3, the 6th November, 1973.

KOTKHAI 203/1 0 3
72/1 0 2

Total: 0 5

No. SE-II-R-54-2/1-22331-35 Simla-3, the 6th November, 1973.

*Construction of Sawra-Mandal road

Tehsil: JUBBAL

DHADI GH-	405/1	0	3	00.1.12.88
UNSA.	423/1	0	14	00.5.26.76
	423/2	0	3	00.1.12.88
	425/1	0	1	00.0.37.63
	508/1	0	7	00.2.63.38
	1273/10	0	7	00.0.37.63
	1561/848/1	0	12	00.4.51.51
	1564/854/1	0	17	00.6.39.64
	428/1	0	3	00.1.12.88
	1560/848/1	0	12	00.4.51.51
	860/1	0	3	00.1.12.88
Total		3	16	00.28.59.58

Village	Khasra No.	Area	Big. Bis.	1	2	3	4
1	2	3	4				
Tehsil : KUMARSAN					286/76/1	0	12
No. SE-II-R-54-5/I-23120-24 Simla-3, the 20th November, 1973.					288/86/1	0	7
					241/1	0	2
						Total	22 3
*Construction of Matiana Baragaon Road							
THAHA	111/1	0	15	No. SE-II-R-54-5/I-23135-39. Simla-3, the 20th November, 1973.			
	110/1	0	7	SHEHADRI			
	124/1	0	13	207/1	1	5	
	109/1	0	5	400/248/1	0	16	
	123/1	0	14	400/248/2	0	15	
	193/1	1	2	399/248/1	0	7	
	121/1	0	8	377/1	0	10	
	120/1	0	6	378/1	0	8	
	122/1	0	19	426/393/1	0	4	
	105/1	1	7	379/1	0	9	
	104/1	1	15	380/1	1	7	
	127/1	7	19	381/1	0	9	
	71/1/1	0	1	376/1	0	15	
Total ... 16 11				206/1	0	9	
No. SE-II-R-54-5/I-23125-29 Simla-3, the 20th November, 1973.				241/1	1	13	
SHELAK				297/1	5	7	
	461/4/1	1	0	368/1	1	10	
	462/4/1	0	10	205/1	0	11	
	460/4/1	0	1	Total ... 16 16			
	34/1	3	15	No. SE-II-R-54-5/I-23130-34 Simla-3, the 20th November, 1973.			
	470/93/2/1	0	14	BAGEN			
	442/6/1	0	17	8/1	0	2	
	445/15/2/1/1	4	8	126/1	0	9	
	441/6/1	0	17	187/132/1	1	2	
Total ... 12 2				188/132/1	0	16	
No. SE-II-R-54-5/I-23100-104 Simla-3, the 20th November, 1973.				173/1	3	6	
DHKOLU				191/134/1	1	1	
	161/115/66/1	1	9	172/1	0	19	
	68/1	2	6	174/1	1	8	
	69/1	0	15	190/154/1	0	10	
Total ... 4 10				136/1	3	2	
No. SE-II-R-54-5/I-23115-19 Simla-3, the 20th November, 1973.				161/1/1	0	6	
AUR				163/1	0	5	
	94/1	1	8	156/1	0	2	
	96/1	0	2	159/1	1	6	
	267/93/1	0	14	164/1	1	7	
	266/93/1	1	10	101/1	0	2	
	46/1	0	5	162/1	0	4	
	90/1	1	6	115/1	1	9	
	96/1	1	9	4/1	2	16	
	75/1	0	2	Total ... 21 4			
	47/1	1	2	No. SE-II-R-54-5/I-23 105-09 Simla-3, the 20th November, 1973.			
	264/45/1	3	18	KOTI			
	67/1	2	3	122/1	0	11	
	245/37/1	0	11	131/1	0	5	
	245/37/3	0	6	131/2	0	1	
	245/37/4	0	1	282/1	0	13	
	285/76/1	1	8	123/1	1	13	
	287/86/1	0	12	278/1	5	11	
	290/257/191/1	4	5	320/279/1	0	14	
				320/279/3	2	11	
				280/1	3	15	
				281/1	4	13	

1	2	3	4
	302/277/1	0	4
	102/1	2	5
	125/1 min	1	7
	Total	24	3

No. SE-II-R-54-5/I- Simla-3, the 20th November, 1973.

ROOPA	119/1	4	18
	137/1	0	18
	137/3	0	13
	138/1	0	15
	120/1	0	5
	146/116/1	2	16
	112/1	6	18
	112/2	1	9
	112/1/1	0	18
	Total	19	10

No. SE-II-R-54-5/I-23140-44 Simla-3 the 20th November, 1973.

JANGAL	3/1	1	9
MAHADUDA	5/1	0	17
	4/1	1	16
	4/2	10	15
	11/8/1	19	19
	Total	34	16

No. SE-II-R-54-2/I-23090-94 Simla-3, the 20th November, 1973.

Construction of Guma-Bagi road

Tehsil: KOTKHAI

AGAIN-II	282/1	0	1
	283/1	0	6
	287/1	0	1
	288/1	0	3
	294	0	3
	329/1	0	1
	404/349	0	4
	Total	0	19

Simla-3, the 22nd November, 1973

No. SE-II-R-54-1/23265-69.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the Construction of Cheog-Tiyali-Sainj road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1984 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file

an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Kasumpti, Simla-9.

SPECIFICATION

District: SIMLA

Tehsil: THEOG.

Village	Khasra No.	Area Big. Bis	Remarks Hect. Acre
* 1	2	3 4	5 6
GRANGE	56	9 16	0.73.74.64
	57 min	2 6	0.17.30.78
	57 min	2 5	0.16.93.16
	58	5 16	0.43.64.58
	289/59	3 6	0.24.83.29
	60 min	1 12	0.12.04.02
	60 min	1 14	0.12.89.27
	60 min	1 13	0.12.41.64
	64	4 10	0.33.86.32
	65	3 13	0.27.46.67
	66	2 10	0.18.81.29
	67	14 2	1.06.40.45
	78	5 3	0.38.75.45
	295/79	1 10	0.1.28.77
	296/79	1 3	0.08.74.89
	80	2 6	0.17.30.78
	291/81	0 6	0.02.75.25
	292/81	0 14	0.05.26.76
	293/82	2 7	0.17.68.41
	97	3 18	0.29.34.80
	98	3 7	0.25.20.93
	124	0 17	0.06.34.64
	125	1 6	0.09.78.26
	126	1 4	0.09.03.01
	128	3 1	0.22.95.21
	129	5 4	0.39.13.07
	130	7 8	0.55.68.01
	131	1 12	0.12.04.02
	212	5 16	0.43.64.58
	258	20 3	1.51.63.17
	Total	122 10	9.22.76.40

Simla-3, the 22nd November, 1973

No. SE-II-R-54-1/23270-74.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the Construction of Cheog-Tiyali Sainj road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition, of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Kasumpti, Simla-9.

SPECIFICATION					1	2	3	4	5
District: SIMLA			Tehsil: THEOG						
		Area	Remarks			9	4	2	0.30.85.31
		Big. Bis.	Hect. Arc.			10	336	3	28.01.25.94
Village	Khasra No.					11	429	2	35.91.28.21
1	2	3 - 4	5			15/12	0	1	0.00.37.63
						16/12	251	8	21.19.12.86
JUNGAL	1	1 15	0.13.16.90			13	4	2	0.30.85.31
MEHDUDA	2	344 5	29.02.05.97			14	2	5	0.20.69.42
KHANAWAL	3	1 7	0.10.15.89			Total	2247	5	188.72.56.52
	4	246 4	20.75.46.98						
	5	3 9	0.25.96.17						
	6	256 17	21.64.66.87						
	7	276 13	23.31.77.86						
	8	89 12	7.54.85.20						

Sd/-
Superintending Engineer,
2nd Circle, HPPWD., Simla-3.

CORRIGENDA

Solan, the 26th November, 1973.

No. SE-III-G(R) 16-15/73-36243-46.—The Khasra Nos. with its area as detailed below proposed to be acquired in Village Sanwara, Tehsil Solan, District Solan, appearing in the notification issued under Section 6 and 7 of the Land Acquisition Act, 1894, by this office vide No. SE-III-G(R)-61-15/71-30127-30, dated 11-11-1971, may be read as under now:—

Already notified

To be read as under:—

Sl. No.	Khasra No.	Area	Area
1	2	Big. Bisw.	Big. Bis.
1	2	3	4
1.	130	0 15	140
			0 13

Solan the, 26th November, 1973

No. SE-III-G (R) 61-8/73-36251-54.—The Khasra Nos. with its area as detailed below proposed to be acquired in Village Hathaora, Tehsil Nalagarh, District Solan, appearing in the notification issued under section 6 & 7 of the Land Acquisition Act, 1894 by the Secretary PWD to the Government of Himachal Pradesh vide his No. 2-34/70-P.W.D., dated 29-4-71, may be read as under now:—

Already notified

To be read as under

Sl. No.	Khasra No.	Area	Area
1	2	Big. Bis.	Big. Bis.
1	2	3	4
1.	778/1	2 15	778/1
2.	727/1	4 1	727/1
3.	785/1	2 16	785/1
4.	688/1	0 1	688/1
5.	692/1	1 16	692/1
6.	687/1	0 3	687/1
7.	690/1	1 16	690/1
8.	710/1	0 5	710/1
9.	216	0 15	216/1
10.	210/1	1 11	210/1
11.	217/1	0 6	217/1
12.	750/1	0 16	750/1
13.	713/1	1 7	713/1
14.	708/1	2 9	708/1
15.	712/1	0 4	712/1
16.	215/1	0 17	215/1
17.	683/1	0 15	683/1
18.	709/1	0 9	709/1
19.	749/1	2 6	749/1
20.	726/1	1 4	726/1
21.	788/1	1 1	788/1
22.	789/1	0 10	789/1
23.			749/2/1
24.			728/1
25.			706/1
26.			705/1
27.			704/1

Newly added

Solan, the 26th November, 1973

No. SE-III-G(R)61-8/73-36255-58.—The Khasra Nos. with its area as detailed below proposed to be acquired in Village Tunsu, Tehsil Nalagarh, District Solan, appearing in the notification issued under section 6&7 of the Land Acquisition Act, 1894, by the Secretary P.W.D. to the Government of Himachal Pradesh vide his No. 2-34/70-PWD, dated 29-4-71, may be read as under now

Already notified

To be read as Under :—

Sl. No.	Khasra No. 2	Area		Khasra No. 1	Area	
		Big.	Bis.		Big.	Bis.
1.	16/1	0	15	16/1	0	9
2.	19/1	0	19	19/1	0	17
3.	87/1	0	6	87/1	0	5
4.	111/1	0	3	111/1	0	2
5.	17/1	0	3	17/1	0	4
6.	112	0	6	112/1	0	5
7.	86	0	11	86/1	0	10
8.	144/1	0	1	144/1	0	2
9.	208/1	0	11	208/1	0	15
10.	209/1	0	5	209/1	0	3
11.	230/1	0	7	230/1	0	14
12.	117/1	0	7	117/1	0	12
13.	143/1	0	7	143/1	0	10
14.	212/1	0	5	212/1	0	3
15.	151/1	1	6	151/1	1	3
16.	389/1	2	16	389/1	1	17
17.	156/1	1	8	156/1	0	19
18.	150/1	0	4	150/1	0	5
19.	85/1	0	3	85/1	0	7
20.	207	0	3	207/1	0	2
21.	120/1	0	3	120/1	0	2
22.	385/1	11	2	385/1	14	1
23.	391/1	0	13	391/1	1	8
24.	115/1	0	19	115/1	1	0
25.	211/1	0	11	211/1	0	1
26.	108/1	Deleted		23/2	Newly added	
27.	88	0	1	20/1	1	10
28.	173/1	0	2	87/1	0	2
29.	205/1	0	1	82/1	0	2
30.	206	0	9	156/1/1	0	7
31.				315/1	0	11
32.				211/2	0	4
33.				217/1	0	1
34.				221/1	0	1
35.						
36.						
37.						

Solan, the 26th November, 1973

No. SE-III-G(R)16-13/73-36259-62.—The Khasra Nos. with its area as detailed below proposed to be acquired in Village Shangri, Tehsil Solan, District Solan, appearing in the notification issued under section 6&7 of the Land Acquisition Act, 1894, by this office vide No. SEB-R-202/68-24451-54, dated 24-12-68, may be read as under now:—

Already notified

To be read as under

S. No.	Khasra No.	Area		Khasra No.	Area	
		Big.	Bis.		Big.	Bis.
1.	314/1	2	1	314/1	1	11
2.	294/1	0	2	294/1	0	11
				291/1	0	1
				293/1	0	1
				Newly added		

Solan, the 26th November, 1973

No. SE-III-G(R) 61-13/73-36263-66.—The Khasra Nos. with its area as detailed below proposed to be acquired in Village Kanda, Tehsil Kandaghat, District Solan, appearing in the notification issued under section 6&7 of the Land Acquisition Act, 1894, by this office vide No. SE-III-G(R) 61-13/70-27440-43, dated 14-9-1970, may be read as under now:—

Already Notified

To be read under

S. No.	Khasra No.	Area		Khasra No.	Area	
		Big.	Bis.		Big.	Bis.
1.	135/2	1	10	135/2	1	2
2.	177/1	0	17	177/1	1	3
3.	185/1	2	0	185/1	0	15
4.	189/2	2	12	189/2	11	2

NOTIFICATIONS

Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose*. It is hereby declared that the land described in the specification below is required for the said* purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh P.W.D., is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh P.W.D., Solan.

No. SE-III-G (R)61-8/73-36911-14 Solan, the 4th
December, 1973.

*construction of Simla-Kunihar-Ramshar-Nalagarh-
Himachal Pradesh, Boundary road

SPECIFICATION

District: SOLAN Tehsil: NALAGARH

Village 1	Khasra No. 2	Area	
		Big. 3	Bis. 4
KUSRI	46/1	0	6
3/0 to	22/2	1	17
4/0	23/1	3	8
	25/2	0	4
	25/3	0	10
	26/2	0	8
	28/1	1	17
	27/1	0	5
	1/1	3	1
	41/2	0	14
	47/1	7	17
Total ..	11	20	7

No. SE-III-G (R) 61-8/73-36915-18 Solan, the 4th
December, 1973.

NALA- GARH	136/1	1	13
	139/1	1	8
	118/1	0	10
	49/2	1	11
	140/1	0	1
	84/2	0	3
	52/2	0	2
	53/1	0	7
Total ..	8	5	15

No. SE-III-G(R)-61-8/73-36919-22. Solan, the 4th
December, 1973.

BHALI	49/1	0	5
	92/1	1	2
	93/1	0	12
	88/1	0	8
	87/1	0	5
	53/1	2	12
	55	0	6
	56/1	0	4

1	2	3	4
	74/1	0	1
	74/2	0	1
	75	0	3
	76/1	0	7
	77/1	0	3
	77/2	0	2
	1/2	1	9
	94/2	28	2
	86/1	0	2
	9/1	0	1
Total ..	18	36	5

No. SE-III-G(R)61-8/73-36907-10 Solan, the 4th
December, 1973.

KOWARI	107/1	0	1
	106/1	0	3
	108/1	0	1
	116/1	0	7
	120	0	5
	118/1	0	1
	416/121	0	1
	419/122	0	8
	189/1	0	6
	156	0	2
	159	0	2
	172/1	0	1
	177/1	0	7
	178/1	2	13
	179/1	0	2
	180/1	0	10
	188/1	0	3
	185/1	0	4
	187/1	0	6
	398/146	0	10
	147/1	0	12
	148	0	1
	151/1	0	1
	154/1	0	3
	155	1	15
	158	0	7
	57/1	0	12
	57/2	0	10
	90/1	0	8
	91/1	0	2
	413/405/101/1	3	4
	411/113/1	0	10
	144/1	1	2
	31/2	2	11
	31/4	0	19
	182/1	0	3
	397/1	3	12
	397/2	3	16
	599/146/1	1	1
	31/3	1	17
	186/1	0	3
	390/2	1	4
	413/405/101/3	0	13
	413/405/101/2	0	14
Total ..	44	32	13

CORRIGENDUM

Solan, the 13th December, 1973

No. SE.-III-G(R)61-8/73-37630-33.—The Khasra Nos. with its area as detailed below proposed to be acquired in Village Chiyar, Tehsil Nalagarh, District Solan, appearing in the notification issued under section 6 & 7 of the Land Acquisition Act, 1894 by the Secy. PWD., to the Government of Himachal Pradesh vide his No. 2-34/70-PWD., dated 4-6-1973, may be read as under now

Already notified

To be read as under:—

Sl. No.	Khasra No.	Area		Khasra No.	Area		
		Big.	Bis.		Big.	Bis.	
1	2	3	4	1	2	3	
1.	2/1	0	7	2/1	0	5	
2.	350/51/1	0	12	350/51/1	0	7	
3.	351/51	0	13	351/51/1	0	11	
4.	366/194/1	0	4	366/194/1	0	2	
5.	367/202/1	0	1	367/202/1	0	2	
6.	378/322/1	0	1	378/322/1	0	2	
7.	5/1	0	6	5/1	0	8	
8.	40/1	0	7	40/1	0	4	
9.	50/1	1	1	50/1	1	2	
10.	52/1	0	2	52/1	0	1	
11.	204/2	0	3	204/2	0	1	
12.	193/1	0	12	193/1	0	9	
13.	203/1	1	9	203/1	0	11	
14.	61/1	0	9	61/1	0	7	
15.	62/1	0	1	62/1	0	3	
16.	164/1	0	2	164/1	0	1	
17.	53/1	0	1	53/1	0	2	
18.	329/1	0	14	329/1	0	10	
19.	317	0	8	317/1	0	4	
20.	321/1	0	8	321/1	0	16	
21.	325/1	0	2	325/1	0	3	
22.	332/1	0	14	332/1	0	9	
23.	42	0	3	42/1	0	2	
24.	316/1	0	13	316/1	0	7	
25.	217/1	0	4	217/1	0	2	
26.	47/1	0	3	47	0	6	
27.	47/2	0	1	47/2	0	1	Deleted
28.	59/1	0	4	59/1	0	4	-do-
29.	41	0	6	41/1	0	6	-do-
30.	204/1	0	4	204/1	0	4	-do-
31.	327/1	0	10	327/1	0	18	
32.	319/1	0	8	319/1	0	9	
33.	1/1	0	9	1/1	0	6	
34.	219/1	0	19	219/1	0	5	
35.	344/1	0	10	344/1	0	8	
36.	166/1	0	2	166/1	0	3	
37.				6/1	0	1	Newly
38.				54/1	0	1	added
39.				54/2	0	2	-do-
40.				143	0	5	-do-
41.				214/1	0	5	-do-
42.				219/2	0	6	-do-
43.				363/192	0	2	-do-
44.							
45.							
46.							

M. L. BANSAL,
Superintending Engineer,
3rd Circle, H P PWD, Solan.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शियल कमिश्नर तथा कमिश्नर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

**COMMUNITY DEVELOPMENT DEPARTMENT
NOTIFICATION**

Simla-4, the 7th December, 1973

No. 4-121/72-E (Dev.).—In exercise of the powers vested in him under the proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh is pleased to make the following amendments in the Recruitment and Promotion and Certain Conditions of Service Rules, 1963 of the Planning and Development Department of Himachal Pradesh issued vide this Department Notification No. D. 6-45(Estt.) 58, dated the 10th February, 1964:—

Substitute the words "Seniority subject to rejection of the unfit" for the words "Merit-cum-Seniority" occurring in rule 8 and sub-rules 2, 3, 12 of rule 6 and at other places in the Himachal Pradesh Planning and Development Class III Services (Recruitment, Promotion and certain Conditions of Service Rules), 1963.

VINOD LAL,
Joint Secretary.

**PLANNING DEPARTMENT
NOTIFICATION**

Simla-2, the 30th November, 1973

No. 9-10/71-Plan (Estt.).-II.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make with immediate effect the following amendments in the Himachal Pradesh Directorate of Economics and Statistics, Subordinate Services Recruitment and Promotion Rules, 1962, notified vide Finance Department Notification No. 8/28/60-Fin. (R&E), dated the 12th July, 1962.—

(a) The following proviso, shall be added below Rule 6:—

"Provided that the recruitment to be made to the posts specified in Appendix 'A' shall be subject to reservation in favour of certain categories of persons in accordance with the general or special rules/instructions of the Government of Himachal Pradesh".

(b) Rule 9 (ii) shall be read as under:—

"9 (ii) On the completion of the period of probation of any member and of a member holding technical post, the Appointing Authority may, if the vacancy exists and the work and conduct of the member during the period of probation has, in the opinion of the Appointing Authority, been satisfactory, confirm such member in his appointment on the recommendations of the Departmental Promotion Committee, or if his work or conduct has, in the opinion of such authority, not been satisfactory, the said authority

may, after issuing him a show cause notice and after considering his representation, if any, submitted in response there to or by giving him one month's notice dispense with his services, if he was appointed by direct recruitment, or revert him to his former post, if he has a lien, or in either case may extend the period of probation and thereafter pass such orders on the expiry of the extended period of probation as it could have passed on the expiry of the first period of probation. The period of probation of a member may be extended from time to time, provided that the total period of probation shall not exceed two years."

(c) Rule 10 (ii) shall be read as under:—

"10 (ii) On the completion of the period specified in (i) above, a member may continue subject to the conditions contained in the appointment letter."

(d) In column No. 3 of Appendix 'A' for the time scales under the heads Non-Technical and Technical against serial Nos. 1 to 5 and 4 to 9, respectively, the following time scales shall be substituted:—

**NON-TECHNICAL
Time-Scales**

Rs.
400-25-500/30-650
225-15-360/20-500
160-10-280/15-400
160-10-280/15-400
160-10-280/15-400

**TECHNICAL
Time-Scales**

Rs.
300-25-600
(One advance increment for M. A. first class).
-do-
200-15-380/20-500 (Graduates to start at Rs. 250 and M.As. First and Second Class at Rs. 300).
-do-
170-8-210/10-300
160-10-280/15-400.

2. The Governor, Himachal Pradesh is further pleased to make the following amendments to the said rules:—

(a) Serial Nos. 7—9 under the head "Non-Technical" and Serial No. 3 under the head "Technical Class IV" of Appendix 'A' shall be deleted.

(b) In column No. 3 of Appendix 'A' for the time-scales under the heads 'Non-Technical' and 'Technical' against serial No. 6 and from 10 to 14, respectively, the following time-scale shall be substituted:—

**NON-TECHNICAL
Time-Scales**

Rs.
110-4-130/5-180/6-210/8-250

TECHNICAL

120-5-150/6-180/8-220/10-250.
110-4-130/5-160/5-200.
110-4-130/5-160/5-200.
90-3-120/4-140.
100-4-140/5-160.

(c) All the provisions in respect of Class IV posts of Daftry and Peons in Rule 6 and against serial Nos. 1 and 2 under the head "Class IV" of appendix 'A' shall be deleted.

By order,
U. N. SHARMA,
Secretary.

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया

तथा पंचायत विभाग

शून्य

भाग 5--वैयक्तिक अधिसूचनाएं और विज्ञापन

न्यायालय ज्येष्ठ उप-न्यायाधीश, कांगड़ा, स्थान धर्मशाला
उत्तराधिकार प्रमाण-पत्र प्राप्ति हेतु प्रार्थना-पत्र
मुकदमा नं० 22 साल 1973

आज तिथि 10-12-73 को मेरे हस्ताक्षर व मोहर से जारी हुआ।

बनाम सर्व जन्ता:

1. श्रीमति शीला देवी विधवा उत्तम सिंह।
2. श्रीमति केसरी देवी माता उत्तम सिंह विधवा चूहर सिंह, जाति घिरथ कण्डी, डाकघर भभाल, तहसील देहरा, जिला कांगड़ा।

उपरलिखित मुकदमा में सायल ने उत्तराधिकारी प्रमाण-पत्र प्राप्ति हेतु प्रार्थना-पत्र इस न्यायालय में दिया है। अतः मुनादी व इश्तहार द्वारा सर्व जन्ता को सूचित किया जाता है कि यदि इस के विषय में कोई आपत्ति हो तो तिथि 15-3-74 को उपस्थित न्यायालय में हो कर प्रस्तुत करें। अन्यथा आगामी कार्रवाई की जावेगी।

आज तिथि 14-12-73 को मेरे हस्ताक्षर व मोहर से जारी हुआ।

मोहर।

ए० एल० वैद्य,
ज्येष्ठ उप-न्यायाधीश,

न्यायालय श्री ए० एन० वैद्या सिनियर सब-जज महोदय

कांगड़ा स्थान धर्मशाला

मुकदमा नं० 25 साल 1973

श्रीमति राम प्यारी

बनाम

श्री टेक सिंह

मुकदमा उनवान बाला में श्री टेक सिंह मिस्त्री पुत्र पता नहीं, फरसेट बाजार, धर्मशाला कैट जान बुझ कर समन की इत्तला नहीं करता है। कई बार समन व नोटिस जारी किये परन्तु तामील न की। अतः इश्तहार द्वारा सूचित किया जाता है कि यदि श्री टेक सिंह तिथि 18-2-1974 को उपस्थित न्यायालय न आया तो आगामी कार्रवाई की जावेगी।

ए० एल वैद्य,
ज्येष्ठ उप-जज,
मोहर।

In the Court of Shri R. L. Khurana, Senior Sub Judge,
Solon

PROCLAMATION UNDER ORDER 5, RULE 20 C.P.C.

Civil Suit No. 91 of 1972

Shri Amar Chand s/o Shri Chhota Brahmin, r/o Village Manju, Tehsil Arki, District Solon. .. Plaintiff.

Versus

Smt. Ramku wd/o Shri Ram Kishan, r/o Manju, Tehsil Arki etc. .. Defendants.

Suit for Permanent Injunction

To

Shri Sudama s/o Shri Chhota, r/o Manju, Tehsil Arki, District Solon.

Whereas in the above noted case it has been proved to my satisfaction that the above noted proforma defendant Shri Sudama cannot be served in the normal course of service.

Hence this proclamation is hereby issued and the above named defendant is directed to appear in this court on 8-1-1974 at 10 A.M. personally or through pleader or authorised agent. Failing which *ex parte* proceeding will be taken against the defendant.

Given under my hand and the seal of the court this 15th December, 1973.

(Seal). R. L. KHURANA,
Senior Sub Judge,
Solon.

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

LAW DEPARTMENT
NOTIFICATION*Simla-2, the 24th September, 1973.*

No. 11-24/73-LR.—The following Acts recently passed by the Parliament which have been published in the Gazette of India, Extraordinary, Part II, Section 1, are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public:—

1. The Finance Act, 1973 (21 of 1973).
2. The Central Excises and Salt (Amendment) Act, 1973 (22 of 1973).
3. The Cinematograph (Amendment) Act, 1973 (25 of 1973).
4. The North-Eastern Hill University Act, 1973 (24 of 1973).
5. The Apprentices (Amendment) Act, 1973 (27 of 1973).

JOSEPH DINA NATH,
Deputy Secretary.

Assented to on 11-5-1973.
THE FINANCE ACT, 1973
(Act No. 21 of 1973)

AN
ACT

To give effect to the financial proposals of the Central Government for the financial year 1973-74

BE it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Finance Act, 1973.

(2) Save as otherwise provided in this Act, section 2 to 23 shall be deemed to have come into force on the 1st day of April, 1973.

CHAPTER II

RATES OF INCOME-TAX

2. *Income-tax.*—(1) Subject to the provisions of sub-sections (2) and (3), for the assessment year commencing on the 1st day of April, 1973, income-tax shall be charged at the rates specified in Part I of the First Schedule and shall be increased,—

- (a) in the cases to which Paragraphs A, B and D of that Part apply, by a surcharge for purposes of the Union;
- (b) in the cases to which Paragraph C of that Part applies, by a surcharge for purposes of the Union and a special surcharge for purposes of the Union; and
- (c) in the cases to which Paragraphs E and F of that Part apply, by a surcharge,

calculated in each case in the manner provided therein.

(2) In making any assessment for the assessment year commencing on the 1st day of April, 1973, where the total income of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956 (31 of 1956), includes any profits and gains from life insurance business, the income-tax payable by it shall be the aggregate of the income-tax calculated—

- (i) on the amount of the profits and gains from life insurance business so included, at the rate applicable in the case of the Life Insurance

Corporation of India, in accordance with Paragraph E of Part I of the First Schedule, to that part of its total income which consists of profits and gains from life insurance business; and

- (ii) on the remaining part of its total income, at the rate applicable to the company on its total income.

(3) In cases to which Chapter XII or section 164 of the Income-tax Act, 1961 (43 of 1961), (hereinafter referred to as the Income-tax Act) applies, the tax chargeable shall be determined as provided in that Chapter or that section, and with reference to the rates imposed by sub-section (1) or the rates as specified in that Chapter or section, as the case may be.

(4) In cases in which tax has to be deducted under sections 193, 194, 194A, 194B, 194D and 195 of the Income-tax Act at the rates in force, the deduction shall be made at the rates specified in Part II of the First Schedule.

(5) Subject to the provisions of sub-section (6), in cases which income-tax has to be calculated under the first proviso to sub-section (5) of section 132 of the Income-tax Act or charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 175 or sub-section (2) of section 176 of the said Act or deducted under section 192 of the said Act from income chargeable under the head "Salaries" or deducted under sub-section (9) of section 80E of the said Act from any payment referred to in the said sub-section (9) or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed at the rate or rates in force, such income-tax or, as the case may be, "advance tax" shall be so calculated, charged, deducted or computed at the rate or rates specified in Part III of the First Schedule:

Provided that in respect of any income chargeable to tax under section 164 of the Income-tax Act the rate of sixty-five per cent, "advance tax" shall be computed at that rate.

(6) In the cases to which Sub-Paragraph I or Sub-Paragraph II of Paragraph A of Part III of the First Schedule applies, where the assessee has in the previous year or, if by virtue of any provision of the Income-tax Act income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any net agricultural income, in addition to total income, and the total income exceeds five thousand rupees, then, in calculating income-tax under the first proviso to sub-section (5) of section 132 of the Income-tax Act or in charging Income-tax under sub-section (2) of section 174 or section 175 or sub-section (2) of section 176 of the said Act or in computing the "advance tax" payable under Chapter XVII-C of the said Act, at the rate or rates in force,—

- (a) the net agricultural income shall be taken into account, in the manner provided to clause (b) (that is to say, as if the net agricultural income were comprised in the total income after the first five thousand rupees of the total income but without being liable to tax) only for the purpose of calculating, charging or computing such income-tax or, as the case may be, "advance tax" in respect of the total income; and
- (b) such income-tax or, as the case may be,

"advance tax" shall be so calculated, charged or computed as follows:—

- (i) the total income and the net agricultural income shall be aggregated and the amount of income-tax or "advance tax" shall be determined in respect of the aggregate income at the rates specified in Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A, as if such aggregate income were the total income;
- (ii) the net agricultural income shall be increased by a sum of five thousand rupees and the amount of income-tax or "advance tax" shall be determined in respect of the net agricultural income as so increased at the rates specified in Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A, as if the net agricultural income as so increased were the total income;
- (iii) the amount by which income-tax or, as the case may be, "advance tax" determined in accordance with sub-clause (i) exceeds the amount of income-tax or "advance tax" determined in accordance with sub-clause (ii) shall be the income-tax or "advance tax" in respect of the total income:

Provided that in cases where Sub-Paragraph I of the said Paragraph A applies,—

- (A) where the aggregate income referred to in sub-clause (i) exceeds fifteen thousand rupees but does not exceed fifteen thousand one hundred and eighty rupees the provisions of that Sub-Paragraph relating to surcharge on income-tax shall, for the purposes of determining the amount of income-tax or "advance tax" under sub-clause (ii), apply subject to the modifications that such surcharge shall be calculated at the rate arrived at by dividing the amount of surcharge on income-tax calculated in respect of the aggregate income by the amount of income-tax (excluding surcharge) calculated in respect of the aggregate income and that the provisions of the proviso at the end of that Sub-Paragraph shall not apply;

- (B) where the aggregate income referred to in sub-clause (i) exceeds fifteen thousand one hundred and eighty rupees, the provisions of that Sub-Paragraph relating to surcharge on income-tax shall, for the purposes of determining the amount of income-tax or "advance tax" under sub-clause (ii), apply subject to the modifications that such surcharge shall be calculated at the rate of fifteen per cent and that the provisions of the proviso at the end of that Sub-Paragraph shall not apply.

(7) For the purposes of this section and First Schedule —

- (a) "company in which the public are substantially interested" means a company which is such a company as is referred to in section 108 of the Income-tax Act;
- (b) "domestic company" means an Indian company or any other company which, in respect of its

income liable to income-tax under the Income-tax Act for the assessment year commencing on the 1st day of April, 1973, has made the prescribed arrangements for the declaration and payment within India of the dividends (including dividends on preference shares) payable out of such income in accordance with the provisions of section 194 of that Act;

- (c) "industrial company" means a company which is mainly engaged in the business of generation or distribution of electricity or any other form of power or in the construction of ships or in the manufacture or processing of goods or in mining.

Explanation.—For the purposes of this clause, a company shall be deemed to be mainly engaged in the business of generation or distribution of electricity or any other form of power or in the construction of ships or in the manufacture or processing of goods or in mining, if the income attributable to any one or more, of the aforesaid activities included in its total income of the previous year (as computed before making any deduction under Chapter VIA of the Income-tax Act) is not less than fifty-one per cent of such total income;

- (d) "insurance commission" means any remuneration or reward, whether by way of commission or otherwise, for soliciting or procuring insurance business (including business relating to the continuance, renewal or revival of policies of insurance);
- (e) "net agricultural income", in relation to a person, means the total amount of agricultural income, from whatever source derived, of that person computed in accordance with the rules contained in Part IV of the First Schedule;
- (f) "tax-free security" means any security of the Central Government issued or declared to be income-tax free, or any security of a State Government issued income-tax free, the income tax whereon is payable by the State Government;
- (g) all other words and expressions used in this section and the First Schedule but not defined in this sub-section and defined in the Income-tax Act shall have the meanings, respectively, assigned to them in that Act.

CHAPTER III

DIRECT TAXES

Income-tax

3. Amendment of section 2.—In section 2 of the Income-tax Act,—

- (a) in clause (37A), in sub-clause (ii), after the figures and letter "194B", the figures and letter "194D", shall be inserted;
- (b) in clause (42A), for the portion beginning with the words "short-term capital asset" means a capital asset and ending with the words "notwithstanding that such capital asset has been held by the assessee for not more than twenty-four months immediately preceding the date of its transfer", the following shall be substituted with effect from the 1st day of April, 1974, namely:—

"short-term capital asset" means a capital asset held by an assessee for not more than

sixty months immediately preceding the date of its transfer.”

4. *Amendment of section 28.*—In section 28 of the Income-tax Act, in clause (ii), after sub-clause (c), the following sub-clause shall be inserted, and shall be deemed to have been inserted, with effect from the 1st day of April, 1972, namely:—

“(d) any person, for or in connection with the vesting in the Government, or in any corporation owned or controlled by the Government, under any law for the time being in force, of the management of any property or business;”.

5. *Amendment of section 35 B*—In section 35B of the Income-tax Act, in sub-section (1),—

(a) the *Explanation* shall be numbered, and shall be deemed to have been numbered as *Explanation 1*, with effect from the 1st day of April, 1968; and

(b) after *Explanation 1* as so numbered, the following *Explanation* shall be inserted, and shall be deemed to have been inserted, with effect from the 1st day of April, 1968, namely:—

Explanation 2.—For the purposes of sub-clause (iii) and sub-clause (viii), of clause (b) expenditure incurred by an assessee engaged in the business of—

(i) operation of any ship or other vessel, aircraft or vehicle, or

(ii) carriage of, or making arrangements for carriage of, passengers, livestock, mail or goods.

on or in relation to such operation or carriage or arrangements for carriage (including in each case expenditure incurred on the provisions of any benefit, amenity or facility to the crew, passenger or livestock) shall not be regarded as expenditure incurred by the assessee on the supply outside India of services or facilities.”.

6. *Amendment of section 45.*—In section 45 of the Income-tax Act [as amended by section 8 of the Finance Act, 1972, (16 of 1972)], for the words, figures and letters “section 53, 54, 54B and 54C”, the words, figures and letters “sections 53, 54, 54B, 54C and 54D” shall be substituted with effect from the 1st day of April, 1974.

7. *Insertion of new section 54 D.*—After section 54C [inserted by section 9 of the Finance Act, 1972 (16 of 1972)] of the Income-tax Act, the following section shall be inserted with effect from the 1st day of April, 1974, namely:—

“54 D. *Capital gain on compulsory acquisition of lands and buildings not to be charged in certain cases.*—

Where the capital gain arises from the transfer by way of compulsory acquisition under any law of a capital asset, being land or building or any right in land or building, forming part of an industrial undertaking belonging to the assessee which, in the two years immediately preceding the date on which the transfer took place, was being used by the assessee for the purposes of the business of the said undertaking, and the assessee has within a period of three years after that date purchased any other land or building or any right in any other land or building or constructed any other building for the purposes of shifting or re-establishing the said undertaking or setting up another industrial undertaking, then, instead of the capital gain being charged to income-tax as the income of the previous

year in which the transfer took place, it shall be dealt with in accordance with the following provisions of this section, that is to say,—

- (i) if the amount of the capital gain is greater than the cost of the land, building or right so purchased or the building so constructed (such land, building or right being hereafter in this section referred to as the new asset), the difference between the amount of the capital gain and the cost of the new asset shall be charged under section 45 as the income of the previous year; and for the purpose of computing in respect of the new asset any capital gain arising from its transfer within a period of three years of its purchase or construction, as the case may be, the cost shall be nil; or
- (ii) if the amount of the capital gain is equal to or less than the cost of the new asset, the capital gain shall not be charged under section 45; and for the purpose of computing in respect of the new asset any capital gain arising from its transfer within a period of three years of its purchase or construction, as the case may be, the cost shall be reduced by the amount of the capital gain.”.

8. *Amendment of section 80C.*—In section 80C of the Income-tax Act, with effect from the 1st day of April, 1974,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) In computing the total income of an assessee, there shall be deducted, in accordance with and subject to the provisions of this section, an amount calculated, with reference to the aggregate of the sums specified in sub-section (2), at the following rates, namely:—

- | | |
|---|---|
| (a) where such aggregate does not exceed Rs. 2,000 | The whole of such aggregate; |
| (b) where such aggregate exceeds Rs. 2,000 but does not exceed Rs. 5,000. | Rs. 2,000 plus 50 per cent of the amount by which such aggregate exceeds Rs. 2,000; |
| (c) where such aggregate exceeds Rs. 5,000 | Rs. 3,500 plus 40 per cent of the amount by which such aggregate exceeds Rs. 5,000.”; |

(b) in sub-section (2),—

(i) for sub-clause (ii) of clause (a) the following sub-clause shall be substituted, namely:—

“(ii) to effect or to keep in force a contract for a deferred annuity on the life of the assessee or on the life of the wife or husband or any child of the assessee;

Provided that such contract does not contain in provision for the exercise by the insured of an option to receive a cash payment in lieu of the payment of the annuity;”;

(ii) in clause (g), for item (2) of sub-clause (i), the following item shall be substituted namely:—

“(2) to effect or to keep in force a contract for a deferred annuity on the life of any member of such association or body or any child of any of the members of such association or body;

Provided that such contract does not contain a provision for the exercise by the insured of an option to receive a cash payment in lieu of the payment of the annuity; or”.

9. *Amendment of section 80G.*—In section 80G of the Income-tax Act, with effect from the 1st day of April, 1974,—

(a) in sub-section (5),—

(i) in clause (i), after the words, brackets, figures any letter “or clause (22A)”, the words, brackets and figures “or clause (23)” shall be inserted;

(ii) in clause (v), after the words “or affiliated to any University established by law”, the following words, brackets and figures shall be inserted, namely:—

“or is an institution approved by the Central Government for the purposes of clause (23) of section 10.”;

(b) after *Explanation 3* below sub-section (5), the following *Explanation* shall be inserted, namely:—

“*Explanation 4.*—For the purposes of this section, an association approved by the Central Government for the purposes of clause (23) of section 10 shall also be deemed to be an institution, and every association or institution approved by the Central Government for the purposes of the said clause shall be deemed to be an institution established in India for a charitable purpose.”.

10. *Amendment of section 80J.*—In section 80J of the Income-tax Act, clause (c) of sub-section (6) shall be omitted with effect from the 1st day of April, 1974.

11. *Amendment of section 80S.*—In section 80S of the Income-tax Act, for the words, brackets and figures “provisions of clause (ii) of section 28,” the words, brackets, letters and figures “provisions of sub-clause (a) or sub-clause (b) or sub-clause (c) of clause (ii) of section 28,” shall be substituted, and shall be deemed to have been substituted, with effect from the 1st day of April, 1972.

12. *Amendment of section 104.*—In section 104 of the Income-tax Act, with effect from the 1st day of April, 1974,—

(a) in sub-section (1), after the words “the amount of dividends actually distributed, if any”, the words, “within the said period of twelve months” shall be inserted;

(b) in sub-section (2), in clauses (i) and (ii), after the words “the payment of a dividend or a large dividend than that declared”, the words, brackets and figure, “within the period of twelve months referred to in sub-section (1)” shall be inserted.

13. *Amendment of section 105.*—In section 105 of the Income-tax Act, in sub-section (1), with effect from the 1st day of April, 1974,—

(a) in clause (i), after the words “has distribution”, the words, brackets and figures, “within the period of twelve months referred to in sub-section (1) of section 104,” shall be inserted;

(b) in clause (ii), after the words “whose distribution”, the words, brackets and figures, “within the period of twelve months referred to in sub-section (1) of section 104,” shall be inserted;

(c) in clause (iii), after the words “has distributed”, the words, brackets and figures, “within the period of twelve months referred to in sub-section (1) of section 104,” shall be inserted;

(d) the following *Explanation* shall be inserted at the end, namely:—

“*Explanation.*—For the purposes of clause (iv) of this sub-section, “the sum distributed

as dividends” means,—

(a) where in relation to the assessment made under section 143 or section 144, any further distribution of dividends was made by the company in pursuance of a notice under this sub-section, the aggregate of the following sums, namely:—

(i) the sum distributed as dividends within the period of twelve months referred to in sub-section (1) of section 104, and

(ii) the sum distributed as dividends within the period of three months from the receipt of the said notice;

(b) where an order under section 107A has been made by the Board in relation to the assessment made under section 143 or section 144, the sum distributed as dividends within the period determined by the Board under the provisions of sub-section (4) of section 107A;

(c) in any other case, the sum distributed as dividends within the period of twelve months referred to in sub-section (1) of section 104.”.

14. *Amendment of section 112A.*—In section 112A of the Income-tax Act, in clause (b), for the words, brackets and figures “clause (ii) of section 28”, the words, brackets, letters and figures “sub-clause (a) or sub-clause (b) or sub-clause (c) of clause (ii) of section 28” shall be substituted, and shall be deemed to have been substituted, with effect from the 1st day of April, 1972.

15. *Amendment of section 155.*—In section 155 of the Income-tax Act,—

(a) after sub-section (8) the following sub-section shall be inserted, and shall be deemed to have been inserted, with effect from the 1st day of April, 1970, namely:—

“(9) where in the assessment for any year, a capital gain arising from the transfer of any such capital asset as is referred to in section 54B is charged to tax and within a period of two years after the date of the transfer the assessee purchases any other land for being used for agricultural purposes, the Income-tax Officer shall amend the order of assessment so as to exclude the amount of the capital gain not chargeable to tax under the provisions of section 54B and the provisions of section 154 shall, so far as may be, apply thereto, the period of four years specified in sub-section (7) of that section being reckoned from the date of the assessment.”;

(b) after sub-section (9) as so inserted, the following sub-section shall be inserted, with effect from the 1st day of April, 1974, namely:—

“(10) Where in the assessment for any year, a capital gain arising from the transfer by way of compulsory acquisition of any such capital asset as is referred to in section 54D is charged to tax and within a period of three years after the date of the transfer, the assessee purchases any other land or building or any right in any other land or building or constructs any other building for the purposes of shifting or re-establishing the industrial undertaking referred to in that section or setting up another industrial undertaking the Income-tax Officer shall amend the order of assessment so as to exclude the amount of the capital gain not chargeable to tax under the provisions of section 54D.

and the provisions of section 154 shall, so far as may be, apply thereto. the period of four years specified in sub-section (7) of that section being reckoned from the date of the assessment."

16. *Amendment of section 194C.*—In section 194C of the Income-tax Act,—

(a) in sub-section (1),—

(i) in clause (d), for the word "company," the words "company; or" shall be substituted;

(ii) after clause (d), the following clause shall be inserted, namely:—

"(e) any co-operative society,";

(b) in sub-section (3),—

(i) in clause (ii), for the word and figures "June, 1972", the words and figures "June, 1972, or" shall be substituted;

(ii) after clause (ii), the following clause shall be inserted, namely:—

"(iii) any sum credited or paid before the 1st day of June, 1973, in pursuance of a contract between the contractor and a co-operative society or in pursuance of a contract between such contractor and the sub-contractor in relation to any work (including supply of labour for carrying out any work) undertaken by the contractor for the co-operative society."

17. *Insertion of new section 194D.*—After section 194C of the Income-tax Act, the following section shall be inserted, namely:—

"194D. *Insurance commission.*—Any person responsible for paying to a resident any income by way of remuneration of reward, whether by way of commission or otherwise, for soliciting or procuring insurance business (including business relating to the continuance, renewal or revival of policies of insurance) shall, at the time of credit of such income to the account of the payee or at the time of payment thereof in cash or by issue of a cheque or draft or by any other mode, whichever is earlier, deduct income-tax thereon at the rates in force:

Provided that no deduction shall be made under this section from any such income credited or paid before the 1st day of June, 1973."

18. *Amendment of section 197.*—In section 197 of the Income-tax Act, in clause (a) of sub-section (1), after the figures and letter "194B", the figures and letter "194D" shall be inserted.

19. *Amendment of sections 198, 199, 200, 202, 203, 204, 205, 209 and 215.*—In sections 198, 199, 200, 202, 203, 204, and 205, in sub-clause (iii) of clause (a) of section 209, and in sub-section (5) of section 215, of the Income-tax Act, after the word, figures and letter, "section 194C", the word, figures and letter, "section 194D" shall be inserted.

Wealth-tax

20. *Amendment of Act 27 of 1957.*—In the Schedule to the Wealth-tax Act, 1957, in Paragraph A of Part I, with effect from the 1st day of April, 1974,—

(a) in item (1), for the words "In the case of every individual or Hindu undivided family—", the words, brackets figures and letter "In the case of every individual or Hindu undivided family, not being a Hindu undivided family which item (1A) of this Paragraph applies—" shall be substituted;

(b) after item (1), the following item shall be inserted, namely:—

"(1A) In the case of every Hindu undivided family which has at least one member

whose net wealth assessable for the assessment year exceeds Rs. 1,00,000—

Rate of tax

(a) where the net wealth 2 per cent of the net does not exceed wealth;

Rs. 5,00,000
(b) where the net wealth exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000 Rs. 10,000 plus 3 per cent of the amount by which the net wealth exceeds Rs. 5,00,000;

(c) where the net wealth exceeds Rs. 10,00,000 Rs. 25,000 plus 8 per cent of the amount by which the net wealth exceeds Rs. 10,00,000;

Provided that for the purposes of this item,—

(i) no wealth-tax shall be payable where the net wealth does not exceed Rs. 2,00,000;

(ii) the wealth-tax payable shall, in no case, exceed 10 per cent of the amount by which the net wealth exceeds Rs. 2,00,000."

Gift-tax

21. *Amendment of Act 18 of 1958.*—In section 5 of the Gift-tax Act, 1958, in clause (v) of sub-section (1), after the words "fund established", the words "or deemed to be established" shall be inserted with effect from the 1st day of April, 1974.

Surtax

22. *Amendment of Act 7 of 1964.*—In the Companies (Profits) Surtax Act, 1964, with effect from the 1st day of April, 1974,—

(a) in the First Schedule, in clause (i) of rule 3, for the words "its debentures", the words, brackets and figures "the debentures referred to in clause (iv)," shall be substituted;

(b) in the Second Schedule,—

(i) in rule 1, for clause (iv), the following clause shall be substituted, namely:—

"(iv) the debentures, if any issued by it to the public;

Provided that according to the terms and conditions of issue of such debentures, they are not redeemable before the expiry of a period of seven date of issue years from the thereof; and";

(ii) in rule 3, for the words, brackets and figures "issue of debentures or borrowing of any moneys referred to in clause (v) of rule 1 or is reduced by any amount on account of reduction of paid-up share capital or redemption of any debentures", the words, brackets and figures "issue of the debentures referred to in clause (iv), or borrowing of any moneys referred to in clause (v), of rule 1 or is reduced by any amount on account of reduction of paid-up share capital or redemption of such debentures" shall be substituted.

MISCELLANEOUS

23. *Credit Guarantee Corporation of India Limited to be exempt for a certain period from liability to pay income-tax and surtax.*—Notwithstanding anything contained in the Income-tax Act or the Companies (Profits) Surtax Act, 1964 (7 of 1964), the Credit Guarantee Corporation of India Limited a company formed and registered under the Companies Act, 1956 (1 of 1956), shall not be liable to pay any tax, under either of the two Acts first-mentioned, on its income, profits or gains for the previous year relevant to the assessment year

commencing on the 1st day of April, 1972 and for the four previous years next following that previous year.

CHAPTER IV

INDIRECT TAXES

24. Amendment of Act 32 of 1934.—The Indian Tariff Act, 1934 (hereinafter referred to as the Tariff Act) shall be amended in the manner specified in the Second Schedule.

25. Auxiliary duties of customs.—(1) In the case of goods mentioned in the First Schedule to the Tariff Act, or in that Schedule as amended from time to time, there shall be levied and collected as an auxiliary duty of customs an amount equal to twenty per cent of the value of the goods as determined in accordance with the provisions of section 14 of the Customs Act, 1962 (52 of 1962).

(2) Sub-section (1) shall cease to have effect after the 31st day of March, 1974, except as respects things done or omitted to be done before such cesser; and section 6 of the General Clauses Act, 1897 (10 of 1897), shall apply upon such cesser as if the said sub-section had then been repealed by a Central Act.

(3) The auxiliary duties of customs referred to in sub-section (1) shall be in addition to any duties of customs chargeable on such goods under the Customs Act, 1962 (52 of 1962), or any other law for the time being in force.

(4) The provisions of the Customs Act, 1962 (52 of 1962), and the rules and regulations made thereunder, including those relating to refunds and exemptions from duties, shall, as far as may be, apply in relation to the levy and collection of the auxiliary duties of customs leviable under this section in respect of any goods as they apply in relation to the levy and collection of the duties of customs on such goods under that Act or those rules and regulations, as the case may be.

26. Amendment of Act 1 of 1949.—In the Indian Tariff (Amendment) Act, 1949, in sections 4 and 5, for the figures "1973" the figures "1974" shall be substituted.

27. Amendment of Act 1 of 1944.—The Central Excises and Salt Act, 1944 (hereinafter referred to as the Central Excises Act) shall be amended in the manner specified in the Third Schedule.

28. Auxiliary duties of excise.—(1) In the case of goods mentioned in the First Schedule to the Central Excises Act, or in that Schedule as amended from time to time, there shall be levied and collected as an auxiliary duty of excise an amount equal to twenty per cent of the value of the goods as determined in accordance with the provisions of section 4 of the Central Excises Act.

(2) Sub-section (1) shall cease to have effect after the 31st day of March, 1974, except as respects things done or omitted to be done before such cesser; and section 6 of the General Clauses Act, 1897 (10 of 1897), shall apply upon such cesser as if the said sub-section had then been repealed by a Central Act.

(3) The auxiliary duties of excise referred to in sub-section (1) shall be in addition to any duties of excise chargeable on such goods under the Central Excises Act or any other law for the time being in force.

(4) The auxiliary duties of excise referred to in sub-section (1) shall be levied for the purposes of the Union and the proceeds thereof shall not be distributed among the States.

(5) The provisions of the Central Excises Act and the rules made thereunder, including those relating to refunds and exemptions from duties, shall, as far as may be, apply in relation to the levy and collection of the auxiliary duties of excise leviable under this section in respect of any goods as they apply in relation to the levy and collection of the duties of excise on such goods under that Act or those rules, as the case may be.

29. Amendment of Act 58 of 1957.—The Additional Duties of Excise (Goods of Special Importance) Act, 1957 (hereinafter referred to as the Additional Duties of Excise Act) shall be amended in the manner specified in the Fourth Schedule.

30. Discontinuance of salt duty.—For the year beginning on the 1st day of April, 1973, no duty under the Central Excises Act or the Tariff Act shall be levied in respect of salt manufactured in, or imported into, India.

THE FIRST SCHEDULE

(See section 2)

PART I

INCOME-TAX AND SURCHARGES ON INCOME-TAX

Paragraph A

In the case of every individual or Hindu undivided family or unregistered firm or other association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

Rates of income-tax

- | | |
|--|---|
| (1) where the total income does not exceed Rs. 5,000 | Nil; |
| (2) where the total income exceeds Rs. 5,000 but does not exceed Rs. 10,000 | 10 per cent of the amount by which the total income exceeds Rs. 5,000; |
| (3) where the total income exceeds Rs. 10,000 but does not exceed Rs. 15,000 | Rs. 500 plus 17 per cent of the amount by which the total income exceeds Rs. 10,000; |
| (4) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000 | Rs. 1,350 plus 23 per cent of the amount by which the total income exceeds Rs. 15,000; |
| (5) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000 | Rs. 2,500 plus 30 per cent of the amount by which the total income exceeds Rs. 20,000; |
| (6) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000 | Rs. 4,000 plus 40 per cent of the amount by which the total income exceeds Rs. 25,000; |
| (7) where the total income exceeds Rs. 30,000 but does not exceed Rs. 40,000 | Rs. 6,000 plus 50 per cent of the amount by which the total income exceeds Rs. 30,000; |
| (8) where the total income exceeds Rs. 40,000 but does not exceed Rs. 60,000 | Rs. 11,000 plus 60 per cent of the amount by which the total income exceeds Rs. 40,000; |
| (9) where the total income exceeds Rs. 60,000 but does not exceed Rs. 80,000 | Rs. 23,000 plus 70 per cent of the amount by which the total income exceeds Rs. 60,000; |
| (10) where the total income | Rs. 37,000 plus 75 per |

- exceeds Rs. 80,000 but does not exceed Rs. 1,00,000
- (11) where the total income exceeds Rs. 1,00,000 but does not exceed Rs. 2,00,000
- (12) where the total income exceeds Rs. 2,00,000
- cent of the amount by which the total income exceeds Rs. 80,000;
- Rs. 52,000 plus 80 per cent of the amount by which the total income exceeds Rs. 1,00,000;
- Rs. 1,32,000 plus 85 per cent of the amount by which the total income exceeds Rs. 2,00,000;

Provided that for the purposes of this Paragraph, in the case of a Hindu undivided family which at any time during the previous year satisfies either of the following two conditions, namely:—

- (a) that it has at least two members entitled to claim partition who are not less than eighteen years of age, or
- (b) that it has at least two members entitled to claim partition who are not lineally descended one from the other and who are not lineally descended from any other living member of the family,—
- (i) no income-tax shall be payable on a total income not exceeding Rs. 7,000;
- (ii) where the total income exceeds Rs. 7,000 but does not exceed Rs. 7,660, the income tax payable thereon shall not exceed forty per cent of the amount by which the total income exceeds Rs. 7,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge for purposes of the Union calculated at the following rates, namely:—

- (a) in a case where the total income does not exceed Rs. 15,000 10 per cent;
- (b) in any other case 15 per cent;

Provided that the amount of surcharge payable shall, in no case, exceed the aggregate of the following sums, namely:—

- (i) an amount calculated at the rate of 10 per cent on the amount of income-tax on an income of Rs. 15,000, if such income had been the total income (the income of Rs. 15,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the person concerned); and
- (ii) 40 per cent of the amount by which the total income exceeds Rs. 15,000.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

- (1) where the total income does not exceed Rs. 10,000 15 per cent of the total income;
- (2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000 Rs. 1,500 plus 25 per cent of the amount by which the total income exceeds Rs. 10,000;
- (3) where the total income exceeds Rs. 20,000 Rs. 4,000 plus 40 per cent of the amount by which the total income exceeds Rs. 20,000.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

Paragraph C

In the case of every registered firm,—

Rates of income-tax

- (1) where the total income does not exceed Rs. 10,000 Nil;
- (2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000 4 per cent of the amount by which the total income exceeds Rs. 10,000;
- (3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000 Rs. 600 plus 6 per cent of the amount by which the total income exceeds Rs. 25,000;
- (4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000 Rs. 2,100 plus 12 per cent of the amount by which the total income exceeds Rs. 50,000;
- (5) where the total income exceeds Rs. 1,00,000 Rs. 8,100 plus 20 per cent of the amount by which the total income exceeds Rs. 1,00,000.

Surcharges on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by the aggregate of surcharges for purposes of the Union calculated as specified hereunder:—

- (a) in the case of a registered firm whose total income includes income derived from a profession carried on by it and the income so included is not less than fifty-one per cent of such total income, a surcharge calculated at the rate of ten per cent of the amount of income-tax computed at the rate hereinbefore specified;
- (b) in the case of any other registered firm, a surcharge calculated at the rate of twenty per cent of the amount of income-tax computed at the rate hereinbefore specified; and
- (c) special surcharge calculated at the rate of fifteen per cent on the aggregate of the following amounts, namely:—
- (i) the amount of income-tax computed at the rate hereinbefore specified; and
- (ii) the amount of the surcharge calculated in accordance with clause (a) or, as the case may be, clause (b).

Explanation.—For the purposes of this Paragraph, “registered firm” includes an unregistered firm assessed as a registered firm under clause (b) of section 183 of the Income-tax Act.

Paragraph D

In the case of every local authority,—

Rate of income-tax

On the whole of the total income 50 per cent.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

Paragraph E

In the case of the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956 (31 of 1956),—

Rates of income-tax

- (i) on that part of its total income which consists of profits and gains from life insurance business 52.5 per cent;
- (ii) on the balance, if any, of the total income, the rate of income-tax applicable, in accordance with Paragraph F of this Part, to the total income of a domestic company which is a company in which the public are substantially interested.

Surcharge on income-tax

The amount of income-tax computed at the rate here-inbefore specified shall be increased by a surcharge calculated at the rate of five per cent of such income-tax.

Paragraph F

In the case of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956 (31 of 1956),—

Rates of income-tax

1. In the case of a domestic company,—
 - (1) where the company is a company in which the public are substantially interested,—
 - (i) in a case where the total income does not exceed Rs. 50,000 45 per cent of the total income;
 - (ii) in a case where the total income exceeds Rs. 50,000 55 per cent of the total income;
 - (2) where the company is not a company in which the public are substantially interested,—
 - (i) in the case of an industrial company—
 - (a) on so much of the total income as does not exceed Rs. 10,00,000 55 per cent;
 - (b) on the balance, if any, of the total income 60 per cent;
 - (ii) in any other case 65 per cent of the total income;

Provided that the income-tax payable by a domestic company, being a company in which the public are substantially interested, the total income of which exceeds Rs. 50,000, shall not exceed the aggregate of—

- (a) the income-tax which would have been payable by the company if its total income had been Rs. 50,000 (the income of Rs. 50,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and
- (b) eighty per cent of the amount by which its total income exceeds Rs. 50,000.

II. In the case of a company other than a domestic company—

- (i) on so much of the total income as consists of—
 - (a) royalties received from an Indian con-

cern in pursuance of an agreement made by it with the Indian concern after the 31st day of March, 1961, or

- (b) fees for rendering technical services received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964,

and where such agreement has in either case, been approved by the Central Government

- (ii) on the balance, if any of the total income 50 per cent; 70 per cent.

Surcharge on income-tax

The amount of income-tax computed at the rate here-inbefore specified shall be increased by a surcharge calculated at the rate of five per cent of such income-tax.

PART II

Rates for deduction of tax at source in certain cases

In every case in which under the provisions of sections 193, 194, 194A, 194B, 194D and 195 of the Income-Tax Act, is to be deducted at the rates in force, deduction shall be made from the income subject to deduction, at the following rates:—

1	Income-tax	
	Rate of income-tax	Rate of surcharge
	2	3
1. In the case of a person other than a company—		
(a) where the person is resident—		
(i) on income by way of interest other than "Interest on securities"	10 per cent	nil;
(ii) on income by way of winnings from lotteries and crossword puzzles	30 per cent	4.5 per cent;
(iii) on income by way of insurance commission	10 per cent	Nil;
(iv) on any other income (excluding interest payable on tax-free security)	20 per cent	3 per cent;
(b) where the person is not resident in India—		
(i) on the whole income (excluding interest payable on a tax-free security)	income-tax at 30 per cent and surcharge at 4.5 per cent of the amount of the income,	

or

income-tax and surcharge on income-tax in respect

1	2	3
		of the income at the rates prescribed in Sub-Paragraph I of Paragraph A of Part III of this Schedule, if such income had been the total income; whichever is higher;
(ii) on income by way of interest payable on a tax-free security	15 per cent	2.25 per cent
2. In the case of company—		
(a) where the company is a domestic company—		
(i) on income by way of interest other than "Interest on securities"	20 per cent	1 per cent;
(ii) on any other income (excluding interest payable on a tax-free security)	22 per cent	1 per cent;
(b) where the company is not a domestic company—		
(i) on income by way of dividends payable by any domestic company	24.5 per cent	1.225 per cent;
(ii) on income by way of royalties payable by an Indian concern in pursuance of an agreement made by it with the Indian concern after the 31st day of March 1961, and which has been approved by the Central Government	50 per cent	2.5 per cent;
(iii) on income by way of fees payable by an Indian concern for rendering technical services in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964, and which has been approved by the Central Government	50 per cent	2.5 per cent;
(iv) on income by way of interest payable on a tax-free security	44 per cent	2.2 per cent;
(v) on any other income	70 per cent	3.5 per cent.

PART III

Rates for calculating or charging income-tax in certain cases, deducting income-tax from income chargeable under the Head "Salaries" or any payment referred to in sub-section (9) of section 80E and computing "advance-tax".

In cases in which income-tax has to be calculated under the first proviso to sub-section (5) of section 132 of the Income-tax Act or charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 175 or sub-section (2) of section 176 of the said Act or deducted under section 192 of the said Act from income chargeable under the head "Salaries" or deducted under sub-section (9) of section 80E of the said Act from any payment referred to in the said sub-section (9) or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed, at the rate or rates in force, such income-tax or, as the case may be, "advance tax" (not being "advance tax" in respect of any income chargeable to tax under section 164 of the Income-tax Act at the rate of sixty-five per cent) shall be so calculated, charged, deducted or computed at the following rate or rates:—

Paragraph A

Sub-Paragraph I

In the case of every individual or Hindu undivided family or unregistered firm or other association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which Sub-Paragraph II of this Paragraph or any other Paragraph of this Part applies,—

Rates of income-tax

- (1) where the total income does not exceed Rs. 5,000 Nil;
- (2) where the total income exceeds Rs. 5,000 but does not exceed Rs. 10,000 10 per cent of the amount by which the total income exceeds Rs. 5,000;
- (3) where the total income exceeds Rs. 10,000 but does not exceed Rs. 15,000 Rs. 500 plus 17 per cent of the amount by which the total income exceeds Rs. 10,000;
- (4) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000 Rs. 1,350 plus 23 per cent of the amount by which the total income exceeds Rs. 15,000;
- (5) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000 Rs. 2,500 plus 30 per cent of the amount by which the total income exceeds Rs. 20,000;
- (6) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000 Rs. 4,000 plus 40 per cent of the amount by which the total income exceeds Rs. 25,000;
- (7) where the total income exceeds Rs. 30,000 but does not exceed Rs. 40,000 Rs. 6,000 plus 50 per cent of the amount by which the total income exceeds Rs. 30,000;
- (8) where the total income exceeds Rs. 40,000 but does not exceed Rs. 60,000 Rs. 11,000 plus 60 per cent of the amount by which the total income exceeds Rs. 40,000;
- (9) where the total income exceeds Rs. 60,000 but does not exceed Rs. 80,000 Rs. 23,000 plus 70 per cent of the amount by which the total income exceeds Rs. 60,000;
- (10) where the total income exceeds Rs. 80,000 but does not exceed Rs. 1,00,000 Rs. 37,000 plus 75 per cent of the amount by which the total income exceeds Rs. 80,000;
- (11) where the total income exceeds Rs. 1,00,000 Rs. 52,000 plus 80 per cent of the amount by

- but does not exceed Rs. 2,00,000
- (12) where the total income exceeds Rs. 2,00,000.
- which the total income exceeds Rs. 1,00,000; Rs. 1,32,000 plus 85 per cent of the amount by which the total income exceeds Rs. 2,00,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the following rates, namely:—

- (a) in a case where the total income does not exceed Rs. 15,000; 10 per cent;
- (b) in any other case 15 per cent;

Provided that the amount of surcharge payable shall, in no case, exceed the aggregate of the following sums, namely:—

- (i) an amount calculated at the rate of 10 per cent on the amount of income-tax on an income of Rs. 15,000, if such income had been the total income (the income of Rs. 15,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the person concerned); and
- (ii) 40 per cent of the amount by which the total income exceeds Rs. 15,000.

Sub-Paragraph II

In the case of every Hindu undivided family which has at least one member whose total income of the previous year relevant to the assessment year commencing on the 1st day of April, 1974 exceeds Rs. 5,000,—

Rates of income-tax

- (1) where the total income does not exceed Rs. 5,000 Nil;
- (2) where the total income exceeds Rs. 5,000 but does not exceed Rs. 10,000 17 per cent of the amount by which the total income exceeds Rs. 5,000;
- (3) where the total income exceeds Rs. 10,000 but does not exceed Rs. 15,000 Rs. 850 plus 23 per cent of the amount by which the total income exceeds Rs. 10,000;
- (4) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000 Rs. 2,000 plus 30 per cent of the amount by which the total income exceeds Rs. 15,000;
- (5) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000 Rs. 3,500 plus 40 per cent of the amount by which the total income exceeds Rs. 20,000;
- (6) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000 Rs. 5,500 plus 50 per cent of the amount by which the total income exceeds Rs. 25,000;
- (7) where the total income exceeds Rs. 30,000 but does not exceed Rs. 40,000 Rs. 8,000 plus 60 per cent of the amount by which the total income exceeds Rs. 30,000;
- (8) where the total income exceeds Rs. 40,000 but does not exceed Rs. 60,000 Rs. 14,000 plus 70 per cent of the amount by which the total income exceeds Rs. 40,000;
- (9) where the total income exceeds Rs. 60,000 but does not exceed Rs. 80,000 Rs. 28,000 plus 75 per cent of the amount by which the total income exceeds Rs. 60,000;

- (10) where the total income exceeds Rs. 80,000 but does not exceed Rs. 1,00,000 Rs. 43,000 plus 80 per cent of the amount by which the total income exceeds Rs. 80,000;
- (11) where the total income exceeds Rs. 1,00,000 Rs. 59,000 plus 85 per cent of the amount by which the total income exceeds Rs. 1,00,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be inserted by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

Paragraph B

In the case of every co-operative society,—

Rates on income-tax

- (1) where the total income does not exceed Rs. 10,000 15 per cent of the total income;
- (2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000 Rs. 1,500 plus 25 per cent of the amount by which the total income exceeds Rs. 10,000;
- (3) where the total income exceeds Rs. 20,000 Rs. 4,000 plus 40 per cent of the amount by which the total income exceeds Rs. 20,000.

Surcharge on income-tax

The amount of income-tax computed at the rate here-inbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

Paragraph C

In the case of every registered firm,—

Rates of income-tax

- (1) where the total income does not exceed Rs. 10,000 Nil;
- (2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000 4 per cent of the amount by which the total income exceeds Rs. 10,000;
- (3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000 Rs. 600 plus 6 per cent of the amount by which the total income exceeds Rs. 25,000;
- (4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000 Rs. 2,100 plus 12 per cent of the amount by which the total income exceeds Rs. 50,000;
- (5) where the total income exceeds Rs. 1,00,000 Rs. 8,100 plus 20 per cent of the amount by which the total income exceeds Rs. 1,00,000.

Surcharges on income-tax

The amount of income-tax computed at the rate here-inbefore specified shall be increased by the aggregate of surcharges for purposes of the Union calculated as specified hereunder:—

- (a) in the case of a registered firm whose total income includes income derived from a profession carried on by it and the income so included is not less than fifty-one per cent of such total income, a surcharge calculated at the rate of ten per cent of the amount of income-tax computed at the rate hereinbefore specified;

- (b) in the case of any other registered firm, a surcharge calculated at the rate of twenty per cent of the amount of income-tax computed at the rate hereinbefore specified; and
- (c) a special surcharge calculated at the rate of fifteen per cent on the aggregate of the following amounts, namely:—
 - (i) the amount of income-tax computed at the rate hereinbefore specified; and
 - (ii) the amount of the surcharge calculated in accordance with clause (a) or, as the case may be, clause (b).

Explanation.—For the purposes of this Paragraph, "registered firm" includes an unregistered firm assessed as a registered firm under clause (b) of section 183 of the income-tax Act.

Paragraph D

In the case of every local authority,—

Rate of income-tax

On the whole of the total income 50 per cent.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent of such income-tax.

Paragraph E

In the case of the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956 (31 of 1956),—

Rates of income-tax

- (i) on that part of its total income which consists of profits and gains from life insurance business 52.5 per cent;
- (ii) on the balance, if any, of the total income the rate of income-tax applicable, in accordance with Paragraph F of this Part, to the total income of a domestic company which is a company in which the public are substantially interested.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge calculated at the rate of five per cent of such income-tax.

Paragraph F

In the case of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956 (31 of 1956),—

Rates of income-tax

- I. In the case of a domestic company,—
 - (1) where the company is a company in which the public are substantially interested,—
 - (i) in a case where the total income does not exceed Rs. 1,00,000 45 per cent of the total income;
 - (ii) in a case where the total income exceeds Rs. 1,00,000 55 per cent of the total income;

- (2) where the company is not a company in which the public are substantially interested,—

- (i) in the case of an industrial company—

- (a) on so much of the total income as does not exceed Rs. 2,00,000 55 per cent;
- (b) on the balance, if any, of the total income 60 per cent;

- (ii) in any other case 65 per cent of the total income;

Provided that the income-tax payable by a domestic company, being a company in which the public are substantially interested, the total income of which exceeds Rs. 1,00,000, shall not exceed the aggregate of—

- (a) the income-tax which would have been payable by the company if its total income had been Rs. 1,00,000 (the income of Rs. 1,00,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and
- (b) eighty per cent of the amount by which its total income exceeds Rs. 1,00,000.

II. In the case of a company other than a domestic company—

- (i) on so much of the total income as consists of—

- (a) royalties received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 31st day of March, 1961, or

- (b) fees for rendering technical services received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964,

and where such agreement has, in either case, been approved by the Central Government

- (i) on so much of the total income as consists of— 50 per cent;
- (ii) on the balance, if any of the total income 70 per cent.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge calculated at the rate of five per cent of such income-tax.

PART IV

[See section 2 (7) (e)]

RULES FOR COMPUTATION OF NET AGRICULTURAL INCOME
Rule 1.—Agricultural income of the nature referred to in sub-clause (a) of clause (1) of section 2 of the Income-

tax Act shall be computed as if it were income chargeable to income-tax under that Act under the head "Income from other sources" and the provisions of sections 57 to 59 of that Act shall, so far as may be, apply accordingly:

Provided that sub-section (2) of section 58 shall apply subject to the modification that the reference to section 40A therein shall be construed as not including a reference to sub-sections (3) and (4) of section 40A.

Rule 2.—Agricultural income of the nature referred to in sub-clause (b) or sub-clause (c) of clause (1) or section 2 of the Income-tax Act [other than income derived from any building required as a dwelling house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (c)] shall be computed as if it were income chargeable to income-tax under that Act under the head "Profits and gains of business or profession" and the provisions of sections 30, 31, 32, 34, 36, 37, 38, 40, 40A [other than sub-sections (3) and (4) thereof], 41, 43 and 43A of the Income-tax Act shall, so far as may be, apply accordingly.

Rule 3.—Agricultural income of the nature referred to in sub-clause (c) of clause (1) of section 2 of the Income-tax Act, being income derived from any building required as a dwelling house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (c), shall be computed as if it were income chargeable to income-tax under that Act under the head "Income from house property" and the provisions of sections 23 to 27 of that Act shall, so far as may be, apply accordingly:

Provided that sub-section (2) of the said section 23 shall apply subject to the modifications that the reference to "total income" therein shall be construed as references to net agricultural income and that the words, figures and letter "and before making any deduction under Chapter VIA" shall be omitted.

Rule 4.—Notwithstanding anything contained in any other provisions of these rules, in a case where the assessee derives income from sale of tea grown and manufactured by him in India, such income shall be computed in accordance with rule 8 of the Income-tax Rules, 1962, and sixty per cent of such income shall be regarded as the agricultural income of the assessee.

Rule 5.—Where the assessee is a partner of a registered firm or unregistered firm assessed as a registered firm under clause (b) of section 183 of the Income-tax Act, which in the previous year has any agricultural income, or is a partner of an unregistered firm which has not been assessed as a registered firm under clause (b) of the said section 183 and which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding five thousand rupees but has any agricultural income, then, the agricultural income or loss of the firm shall be computed in accordance with these rules and his share in the agricultural income or loss of the firm shall be computed in the manner laid down in sub-section (1), sub-section (2) and sub-section (3) of section 67 of the Income-tax Act and the share so computed shall be regarded as the agricultural income or loss of the assessee.

Rule 6.—Where the assessee is a member of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding five thousand rupees but has any agricultural income, then, the agricultural income or loss of the

association or body shall be computed in accordance with these rules and the share of the assessee in the agricultural income or loss so computed shall be regarded as the agricultural income or loss of the assessee.

Rule 7.—Where the result of the computation for any assessment year in respect of any source of agricultural income is a loss, such loss shall be set off against the income of the assessee, if any, for that assessment year from any other source of agricultural income:

Provided that where the assessee is a partner of an unregistered firm which has not been assessed as a registered firm under clause (b) of section 183 of the Income-tax Act or is a member of an association of persons or body of individuals and the share of the assessee in the agricultural income of the firm, association or body, as the case may be, is a loss, such loss shall not be set off against any income of the assessee from any other source of agricultural income.

Rule 8.—Any sum payable by the assessee on account of any tax levied by the State Government on the agricultural income shall be deducted in computed the agricultural income.

Rule 9.—Where the net result of the computation made in accordance with these rules is a loss, the loss so computed shall be ignored and the net agricultural income shall be deemed to be nil.

Rule 10.—The provisions of the Income-tax Act relating to procedure for assessment (including the provisions of section 288A relating to rounding off of income) shall, with the necessary modifications, apply in relation to the computation of the net agricultural income of the assessee as they apply in the relation to the assessment of the total income.

Rule 11.—For the purposes of computing the net agricultural income of the assessee, the Income-tax Officer shall have the same powers as he has under the Income tax Act for the purposes of assessment of the total income.

THE SECOND SCHEDULE

(See section 24)

PART I

In the First Schedule to the Tariff Act,—

- (i) In Item No. 29, for the entry in the fourth column, the entry "Fifty paise per linear metre" shall be substituted;
- (ii) in item No. 72A, in the proviso to sub-item (i),—
 - (a) the words "in advance of their importation" shall be omitted;
 - (b) the words "and such contract or contracts has or have been so registered before any order is made by the proper officer of customs permitting the clearance for home consumption, or deposit in a warehouse of such items, components or raw materials" shall be inserted at the end.

PART II

Item No.	Name of article	Nature of duty	Standard rate of duty	Preferential rate of duty if the article is the produce or manufacture of	Duration of protective rates of duty
				The United Kingdom	A. British Colony
1	2	3	4	5	6 7

1 2 3 4 5 6 7

In the First Schedule to the Tariff Act, for Item No. 63 (20A), the following Item shall be substituted, namely:—

“63 Stainless Revenue 200”
(20A) steel per	
plates, cent	
sheets ad valorem	
and	
strips.	

THE THIRD SCHEDULE

(See section 27)

PART I

In the First Schedule to the Central Excises Act,—

- (i) in Item No. 2,—
 - (a) for the words “Ten per cent *ad valorem*” in the third column against sub-item (2), the words “Twenty per cent *ad valorem*” shall be substituted;
 - (b) the *Explanation* shall be numbered as “*Explanation I*” and after the *Explanation*, as so numbered, the following *Explanation* shall be inserted, namely:—

“*Explanation II*.—For the purposes of sub-item (2), “instant coffee” includes instant coffee containing any ingredient in addition to coffee.”;
- (ii) in Item No. 14, the following *Explanation* shall be inserted at the end, namely:—

“*Explanation*.—This Item does not including carbon black.”;
- (iii) in Item No. 14B, for the entry in the second column, the following entry shall be substituted, namely:—

“CAUSTIC SODA AND CAUSTIC POTASH, WHETHER IN A SOLID FORM OR IN LYE.”;
- (iv) in Item No. 14C, for the entry in the third column, the entry “Ten per cent *ad valorem*” shall be substituted;
- (v) in Item No. 14F, after sub-item (ii), the following sub-item shall be inserted, namely:—

“(iii) Shaving creams, whether or not containing soap or detergents.”;
- (vi) in Item No. 16B, for the entry in the third column against sub-item (ii), the entry “Twenty-five per cent *ad valorem*” shall be substituted;
- (vii) in item No. 18E, for the entries in the second column, the following entry shall be substituted, namely:—

“YARN, ALL SORTS, NOT ELSEWHERE SPECIFIED, IN OR IN RELATION TO THE MANUFACTURE OF WHICH ANY PROCESS IS ORDINARILY CARRIED ON WITH THE AID POWER.”;
- (viii) in Item No. 22AA, for the entries in the second column, the following entry shall be substituted, namely:—

“TEXTILE FABRICS, NOT ELSEWHERE SPECIFIED.”;
- (ix) in Item No. 33C, for the entry in the third column, the entry “Twenty-five per cent *ad valorem*” shall be substituted;
- (x) in Item No. 34A, for the entry in the third column, the entry “Twenty per cent *ad*

valorem.” shall be substituted;

PART II

Item No.	Description of goods	Rate of Duty
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In the First Schedule to the Central Excises Act,—

- (i) in Item No. 4, under “II. *Manufactured tobacco*—”, after sub-item (3), the following sub-item shall be inserted, namely:—

“(4) Smoking mixtures Two hundred per cent *ad valorem*.”;
- (ii) for Item No. 15, the following Item shall be substituted, namely:—

15 SOAP—

“Soap” means all varieties of the product known commercially as soap.

- | | |
|---------------------------------|-------------------------------------|
| (1) Soap, household and laundry | Ten per cent <i>ad valorem</i> .”; |
| (2) Other sorts | Twenty per cent <i>ad valorem</i> ; |

- (iii) in Item No. 19 after sub-item I(1), the following shall be inserted, namely:—

“(1A) Cotton fabrics Fifteen per cent *ad valorem*.”;

(1), containing 30 per cent or more by weight of fibre, or yarn, or both, non-cellulosic origin

- (iv) the following Items shall be inserted at the end, namely:—

62 TOOL TIPS, IN ANY FORM OR SIZE UNMOUNTED, OF SINTERED CARBIDES OF METALS SUCH AS TUNGSTEN, MOLYBDENUM AND VANADIUM.	Twenty per cent <i>ad valorem</i>
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63 WIRE ROPES—	Ten per cent <i>ad valorem</i> .
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“Wire ropes” means ropes having a number of wire strands of iron or steel helically laid about an axis, but does not include electric cables.

64 CARBON BLACK (INCLUDING LAMP BLACK AND ACETYLENE BLACK).	Ten per cent <i>ad valorem</i> .”
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65 RUBBER PROCESSING CHEMICALS, THE FOLLOWING NAMELY:—	Ten per cent <i>ad valorem</i> .”.
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(1) Accelerators

(2) Antioxidants

THE FOURTH SCHEDULE

(See section 29)

Item No. in the first Schedule to the Central Excises and Salt Act, 1944	Description of goods	Rate of additional duty
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In the First Schedule to the Additional Duties of Excise Act/—

- (i) in Item No. 4 under "If. Manufactured tobacco—", after sub-item (3), the following sub-item shall be inserted, namely:—
 "(4) Smoking mixtures One hundred per cent for pipes and cigarettes. *ad valorem*;"
- (ii) in Item No. 19, after sub-item I(1), the following shall be inserted, namely:—
 "(1A) Cotton fabrics Two and half per cent other than falling under *ad valorem*."
 (1), containing 30 per cent or more by weight of fibre, of yarn, or both, of non-cellulosic origin.

Assented to on 19-5-1973.

THE CENTRAL EXCISES AND SALT (AMENDMENT) ACT, 1973 (ACT No. 22 OF 1973)

AN
ACT

to amend the Central Excises and Salt Act, 1944.

BE it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Central Excises and Salt (Amendment) Act, 1973.

(2) Section 2 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and the remaining provisions of this Act shall come into force at once.

2. *Substitution of new section for section 4.*—For section 4 of the Central Excises and Salt Act, 1944 (1 of 1944), (hereinafter referred to as the principal Act, the following section shall be substituted, namely:—

4. *Valuation of excisable goods for purposes of charging of duty of excise.*—Where under this Act, the duty of excise is chargeable on any excisable goods with reference to value, such value shall, subject to the other provisions of this section, be deemed to be—

- (a) the normal price thereof, that is to say, the price at which such goods are ordinarily by the assessee to a buyer in the course of wholesale trade for delivery at the time and place of removal, where the buyer is not a related person and the price is the sole consideration for the sale:

Provided that—

- (i) where in accordance with the normal practice of the wholesale trade in such goods, such goods are sold by the assessee at different prices to different classes of buyers (not being related persons) each such price shall subject to the existence of the other circumstances specified clause (a), be deemed to be the normal price of such goods in relation to each such class of buyers;

- (ii) where such goods are sold by the assessee in the course of wholesale trade for delivery at the time and place of removal at a price fixed under any law for the time being in force or at a price, being the maximum, fixed under any such law, then, notwithstanding anything contained in clause (iii) of this proviso, the price or the maximum price, as the case may be, so fixed, shall, in relation to the goods so sold, be deemed to be the normal price thereof;

- (iii) where the assessee so arranges that the goods are generally not sold by him in the course of wholesale trade except to or through a related person, the normal price of the goods sold by the assessee to or through such related person shall be deemed to be the price at which they are ordinarily sold by the related person in the course of wholesale trade at the time of removal, to dealers (not being related persons) or where such goods are not sold to such dealers, to dealers (being related persons) who sell such goods in retail;

- (b) where the normal price of such goods is not ascertainable for the reason that such goods are not sold or for any other reason, the nearest ascertainable equivalent thereof determined in such manner as may be prescribed.

(2) where, in relation to any excisable goods the price thereof for delivery at the place of removal is not known and the value thereof is determined with reference to the price for delivery at a place other than the place of removal, the cost of transportation from the place of removal to the place of delivery shall be excluded from such price.

(3) The provisions of this section shall not apply in respect of any excisable goods for which a tariff value has been fixed under sub-section (2) of section (3).

(4) For the purposes of this section,—

- (a) "assessee" means the person who is liable to pay the duty of excise under this Act and includes his agent;

(b) "place of removal" means:—

- (i) a factory or any other place or premises of production or manufacture of the excisable goods; or
 (ii) a warehouse or any other place or premises wherein the excisable goods have been permitted to be deposited without payment of duty,

from where such goods are removed;

- (c) "related person" means a person who is so associated with the assessee that they have interest, directly or indirectly, in the business of each other and includes a holding company, a subsidiary company, a relative and a distributor of the assessee, and any sub-distributor of such distributor.

Explanation.—In this clause "holding company", "subsidiary company" and "relative" have the same meanings as in the Companies Act, 1956 (1 of 1956);

(d) "value", in relation to any excisable goods,—

- (i) where the goods are delivered at the time of removal in a packed condition, includes the cost of such packing except the cost of the packing which is of a durable nature and is returnable by the buyer to the assessee.

Explanation.—In this sub clause "packing" means the wrapper, container, bobbin, pirn, spool, reel or warp beam or any other thing in which or on which

the exisable goods are wrapped, contained or wound:

Assented to on 28-3-1973.

(ii) does not include the amount of the duty of excise, sales tax and other taxes, if any, payable on such goods and, subject to such rules as may be made, the trade discount (such discount not being refundable on any account whatsoever) allowed in accordance with the normal practice of the wholesale trade at the time of removal in respect of such goods sold or contracted for sale;

(c) "wholesale trade" means sales to dealers, industrial consumers, Government, local authorities and other buyers who or which purchase their requirements otherwise than in retail."

3. *Amendment of section 37.*—In sub-section (2) of section 37 of the principal Act, the existing clause (i) shall be re-lettered as clause (ib) thereof and before that clause as so re-lettered, the following clauses shall be inserted, namely:—

"(i) provide for determining under section 4 the nearest ascertainable equivalent of the normal price;

(ia) having regard to the normal practice of the wholesale trade, define or specify the kinds of trade discount to be excluded from the value under section 4 including the circumstances in which and the conditions subject to which such discount is to be so excluded;"

4. *Substitution of new section for section 38.*—For section 38 of the principal Act, the following section shall be substituted, namely:—

"38. *Publication of rules and notifications and laying of rules before Parliament.*—(1) All rules made and notifications issued under this Act shall be published in the Official Gazette.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

5. *Substitution of new section for section 10.*—For section 40 of the principal Act, the following section shall be substituted, namely:—

"40. *Protection of action taken under the Act.*—(1) No suit, prosecution or other legal proceeding shall lie against the Central Government or any officer of the Central Government or a State Government for anything which is done, or intended to be done, in good faith, in pursuance of this Act or any rule made thereunder.

(2) No proceeding, other than a suit, shall be commenced against the Central Government or any officer of the Central Government or a State Government for anything done or purported to have been done in pursuance of this Act or any rule made thereunder, without giving the Central Government or such officer a month's previous notice in writing of the intended proceeding and of the cause thereof or after the expiration of three months from the accrual of such cause."

THE CINEMATOGRAPH (AMENDMENT) ACT,

1973

(Act No. 25 of 1973)

AN

ACT

to further to amend the Cinematograph Act, 1952.

BE it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Cinematograph (Amendment) Act, 1973.

2. *Amendment of section 1.*—In the Cinematograph Act, 1952 (37 of 1952), (hereinafter referred to as the principal Act), in section 1,—

(i) in sub-section (2), the words "except the State of Jammu and Kashmir" shall be omitted;

(ii) to sub-section (3), the following proviso shall be added, namely:—

"Provided that Parts I and II shall come into force in the State of Jammu and Kashmir only on such date after the commencement of the Cinematograph (Amendment) Act, 1973, as the Central Government may, by notification in the Official Gazette, appoint."

3. *Insertion of new section 2A.*—In part I of the principal Act, after section 2, the following section shall be inserted, namely:—

"2A. *Construction of references to any law not in force or any functionary not in existence in the State of Jammu and Kashmir.*—Any reference in this Act to any law which is not in force, or any functionary not in existence, in the State of Jammu and Kashmir, shall, in relation to that State, be construed as a reference to the corresponding law in force, or to the corresponding functionary in existence, in that State."

4. *Amendment of section 8.*—In section 8 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) Every rule made by the Central Government under this Part shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall, thereafter, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

5. *Repeal and saving.*—(1) on and from the date on which the provisions of Parts I and II of the principal Act come into force in the State of Jammu and Kashmir, the provisions of the Jammu and Kashmir Cinematograph Act, 1989 [Jammu and Kashmir Act 24 of 1989 (1933 A)] in so far as they relate to the sanctioning of cinematograph films for exhibition, shall stand repealed.

(2) The repeal by sub-section (1) of the provisions of the Jammu and Kashmir Cinematograph Act, 1989, in so far as they relate to the sanctioning of cinematograph films for exhibition, shall not affect—

(a) the previous operation of the provisions so repealed or anything duly done or suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the provi-

sions so repealed; or
(o) any penalty, forfeiture or punishment incurred in respect of any offence committed against the provisions so repealed; or
(p) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;
and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if the provisions had not been repealed;

Provided that anything done or any action taken (including any appointment made, notification issued or rule made) under the provisions so repealed shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act and now extended to the State of Jammu and Kashmir and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the principal Act as amended by this Act.

Assented to on 26-5-1973.

THE NORTH-EASTERN HILL UNIVERSITY ACT, 1973
(ACT NO. 24 OF 1973)

**AN
ACT**

to establish and incorporate a teaching and affiliating University for the hill areas of the North-Eastern region.

WHEREAS it is expedient to establish and incorporate a teaching and affiliating University for the benefit of the people of the hill areas of the North-Eastern region and to develop the intellectual, academic and cultural background of the said people;

AND WHEREAS in pursuance of clause (1) of article 252 of Constitution, resolutions have been passed by the Legislatures of the States of Meghalaya and Nagaland to effect that the setting up of a Central University for the hill areas of the North-Eastern region shall be regulated by Parliament by law;

BE Acted by Parliament in the Twenty-fourth Year of the Republic of India as follows:—

1. Title, extent and commencement.—(1) This Act shall be called the North-Eastern Hill University Act, 1973.

(2) It extends to the States of Meghalaya and Nagaland, the Union territories of Arunachal Pradesh and Mizoram.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definition.—In this Act, and in all Statutes made hereunder unless the context otherwise requires,—

(a) "Academic Council" means the Academic Council of the University;

(b) "Academic staff" means such categories of staff as may be deemed as academic staff by the Ordinances;

(c) "Board of Studies" means the Board of Studies of the University;

(d) "Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" mean respectively, the Chancellor, Vice-Chancellor and Pro-Vice-Chancellor of the University;

(e) "College" means a College maintained by, or admitted to the privileges of, the University;

(f) "Court" means the Court of the University;

(g) "Department" means a Department of Studies, and a Centre of Studies;

(h) "Officer" means any person appointed by the

University, and includes teachers and other persons employed by the University;

(i) "Executive Council" means of all the members of the University;

(j) "Hall" means a unit of residence or of other accommodation for the students of the University, College or Institution, provided, maintained or recognised by the University;

(k) "Institution" means an academic institution, not being a College, maintained by, or admitted to the privileges of, the University;

(l) "North-Eastern region" means the North-Eastern region of India comprising the States of Meghalaya and Nagaland and the Union territories of Arunachal Pradesh and Mizoram;

(m) "Principal" means the Head of a College or an Institution, and includes where there is no Principal, the person for the time being duly appointed to act as Principal, and, in the absence of the Principal or the acting Principal, a Vice-Principal duly appointed as such;

(n) "recognised teachers" means such persons as are recognised by the University for the purpose of imparting instruction in a College or an Institution admitted to the privileges of the University;

(o) "School" means a School of Studies of the University;

(p) "Statutes", "Ordinances" and "Regulations", mean, respectively, the Statutes, Ordinances and Regulations of the University for the time being in force;

(q) "teachers of the University" means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instruction or conducting research in the University or in any College or Institution maintained by the University and are designated as teachers by the Ordinances;

(r) "University" means the North-Eastern Hill University.

3. The University.—(1) There shall be established a University by the name of "North-Eastern Hill University".

(2) The headquarters of the University shall be at Shillong and it shall have campuses in the States of Meghalaya and Nagaland; it may also establish campuses at such other places within its jurisdiction as it may deem fit.

(3) The first Chancellor and the first Vice-Chancellor and the first members of the Court, the executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "North-Eastern Hill University".

(4) The University shall have perpetual succession and a common seal, and shall sue and be sued by the said name.

4. Objects.—The objects of the University shall be to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit; to pay special attention to the improvement of the social and economic conditions and welfare of the people of the hill areas of the North-Eastern region and, in particular, their intellectual, academic and cultural advancement.

5. Powers of the University.—The University shall have the following powers, namely:—

(1) to provide for instruction in such branches of learning as the University may, from time to time, determine;

and to make provision for research and for the advancement and dissemination of knowledge;

(2) to take such academic steps as would contribute to the improvement of the economic condition and welfare of the people of the hill areas of the North-Eastern region;

(3) to grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees and other academic distinction on the basis of examinations, evaluation or any other method of testing, on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

(4) to organise and to undertake extra-mural studies and extension services;

(5) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;

(6) to provide instruction, including correspondence and such other courses, to such persons as are not members of the University, as it may determine;

(7) to institute principalships, professorships, readerships, lectureships, and other teaching or academic posts required by the University and to appoint persons to such principalships, professorships, readerships, lectureships or other posts;

(8) to recognise persons for imparting instruction in any College or Institution admitted to the privileges of the University;

(9) to appoint persons working in any other University of the University or organisation as teachers for a specified period;

(10) to create administrative, ministerial and other posts and to make appointments thereto;

(11) to co-operate or collaborate with any other University or authority in such manner and for such purposes as the University may determine;

(12) to establish such campuses, centres, specialised laboratories or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;

(13) to institute and award fellowships, scholarships, studentships, medals and prizes;

(14) to establish and maintain Colleges, Institutions and Halls;

(15) to admit to its privileges Colleges and Institutions not maintained by the University; to withdraw all or any of those privileges in accordance with such conditions as may be prescribed by the Statutes; and to recognise Halls not maintained by the University and to withdraw any such recognition;

(16) to declare a College, an Institution or a Department, as an autonomous College or an Institution or a Department, as the case may be;

(17) to determine standards for admission into the University, which may include examination, evaluation or any other method of testing;

(18) to demand and receive payment of fees and other charges;

(19) to superwise the residences of the students of the University and to make arrangements for promoting their health and general welfare;

(20) to make special arrangements in respect of women students as the University may consider desirable;

(21) to regulate and enforce discipline among the employees and students of the University and take such disciplinary measures in this regard as may be deemed necessary;

(22) to make arrangements for promoting the health and general welfare of the employees;

(23) to acquire, hold, manage and dispose of property, movable or immovable, including trust and endowment

properties for the purposes of the University;

(24) to borrow, with the approval of the Central Government, on the security of the property of the University money for the purposes of the University;

(25) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

6. Jurisdiction.—(1) The jurisdiction of the University shall extend to the States of Meghalaya and Nagaland and the Union territories of Arunachal Pradesh and Mizoram.

(2) No College or Institution situated within the local limits of the jurisdiction of the University shall be compulsorily affiliated to the University, and affiliation shall be granted by the University only to such Colleges or Institutions as may agree to accept the Statute and Ordinances.

(3) Any College or Institution admitted to the privileges of the University shall cease to be associated with, or be admitted to the privileges or, any other University.

(4) No College or Institution situated within the local limits of the jurisdiction of the University, but not admitted to its privileges, shall be associated with or be admitted to the privileges of, any other University except with the previous approval of the Government of the State in which, or the Administrator of the Union Territory in which, such College or Institution is situate.

7. University open to all classes, castes and creeds.—The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted therein, as a teacher or student, or to hold any office therein, or to graduate thereat.

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for admission of students of the weaker sections of the people in the North-Eastern region and, in particular, of the Scheduled Castes and the Scheduled Tribes.

8. Visitor.—(1) The President of India shall be the Visitor of the University.

(2) The Visitor shall have the right to cause an inspection to be made by such person or persons as may be direct, of the University, its buildings, laboratories and equipment, and of any College or Institution maintained by the University or admitted to its privileges; and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, Colleges or Institutions.

(3) The Visitor shall, in every case, give notice of his intention to cause an inspection or inquiry to be made,—

(a) to the University, if such inspection or inquiry is to be made in respect of the University, College or Institution maintained by it, or

(b) to the management of the College or Institution, if the inspection or inquiry is to be made in respect of a College or an Institution admitted to the privileges of the University.

and the University or the management, a case may be, shall have the right to make such representations to the Visitor, as it may consider necessary.

(4) After considering the representations, any made by the University or the management, a case may be, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (1).

(5) Where any inspection or inquiry has been caused to be made by the Visitor, the University or the management, as the case may be, shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(6) The Visitor may, if the inspection or inquiry is made in respect of the University or any College or Institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the Visitor with such advice. The Visitor may be pleased to offer upon the action to be taken thereon.

(7) The Visitor may, if the inspection or inquiry is made in respect of any College or Institution admitted to the privileges of the University, address the management concerned through the Vice-Chancellor with reference to the result of such inspection or inquiry, his views thereon and such advice as he may be pleased to offer on the action to be taken thereon.

(8) The Executive Council or the management, as the case may be, shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or inquiry.

(9) If the Executive Council or the management does not within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering explanation furnished or representation made to the Executive Council or management, issue such directions as he may think fit and the Executive Council or management, as the case may be, shall comply with such directions.

(10) Notwithstanding the foregoing provisions of this section, the Visitor may by order in writing, annul any provision of the University which is not in conformity with the Act, the Statutes or Ordinances:

Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made, and, if any cause is shown within a reasonable time, he shall consider the same.

(11) The Visitor shall have such other powers as may be prescribed by the Statutes.

9. Rector.—The Governor of the States of Meghalaya and Nagaland shall be the Chief Rector of the University.

10. Officers of the University.—The following shall be the officers of the University:—

- (1) Chancellor;
- (2) Vice-Chancellor;
- (3) Pro-Vice-Chancellors;
- (4) Deans of Schools;
- (5) Registrar;
- (6) Finance Officer; and

(7) other officers as may be declared by the Statutes to be officers of the University.

11. Chancellor.—(1) The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

The Chancellor shall, by virtue of his office, be the head of the University.

The Chancellor shall, if present, preside at the meetings of the University held for conferring degrees.

The Vice-Chancellor.—(1) The Vice-Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall exercise general supervision and control over the affairs of

the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter:

Provided that if the authority concerned is of opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes or Ordinances.

13. The Pro-Vice-Chancellors.—Every Pro-Vice-Chancellor shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

14. Deans of Schools.—Every Dean of a School shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

15. The Registrar.—(1) The Registrar shall be appointed in such manner as may be prescribed by the Statutes.

(2) The Registrar shall have the powers to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

16. The Finance Officer.—The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

17. Other Officers.—The manner of appointment and powers and duties of other officers of the University shall be prescribed by the Statutes.

18. Authorities of the University.—The following shall be the authorities of the University:—

- (1) The Court;
- (2) The Executive Council;
- (3) The Academic Council;
- (4) The Boards of Schools; and
- (5) Such other authorities as may be declared by the Statutes to be authorities of the University.

19. The Court.—(1) The constitution of the Court and the term of office of its members shall be prescribed by the Statutes.

(2) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:—

- (a) to review, from time to time, the board policies and programmes of the University and to suggest measures for the improvement and development of the University;
- (b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report on such accounts;
- (c) to advise the Visitor in respect of any matter which may be referred to it for advice; and
- (d) to perform such other functions as may be prescribed by the Statutes.

20. The Executive Council.—(1) The Executive Council shall be the principal executive body of the University.

(2) The constitution of the Executive Council, the term of office of its members and its powers and duties shall be prescribed by the Statutes.

21. The Academic Council.—(1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, co-ordinate and exercise general supervision over the academic policies of the University.

(2) The constitution of the Academic Council, the term of office of its members and its powers and duties shall be prescribed by the Statutes.

22. Other authorities of the University.—The constitution, powers and functions of the Boards of Schools and of such other authorities and may be declared by the Statutes to be authorities of the University, shall be prescribed by the Statutes.

23. Planning Board.—(1) There shall be constituted a Planning Board of the University which shall advise generally on the planning and development of the University and keep under review the standard of education and research in the University.

(2) The Planning Board shall consist of—

- (a) the Vice-Chancellor, who shall be the Chairman, and
- (b) not more than eight persons of high academic standing who shall be appointed in such manner as may be prescribed by the Statutes.

(3) The Visitor may determine a date with effect from which the Planning Board shall stand dissolved.

24. Power to make Statutes.—Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

- (a) the constitution, powers and functions of the authorities and other bodies of the University, as may be constituted from time to time;
- (b) the election and continuance in office of the members of the said authorities and bodies, the filling of vacancies of members, and all other matters relative to those authorities and other bodies for which it may be necessary or desirable to provide;
- (c) the appointment, powers and duties of the officers of the University and their emoluments;
- (d) the appointment of teachers of the University and other academic staff and their emoluments;
- (e) the appointment of teachers and other academic staff working in any other University or organisation for a specified period for undertaking a joint project;
- (f) the conditions of service of employees including provision for pension, insurance and provident fund, the manner of termination of service and disciplinary action;
- (g) the principles governing seniority of service of employees;
- (h) the procedure for arbitration in cases of dispute between employees or students and the University;
- (i) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;
- (j) the establishment and recognition of Students' Union or associations of teachers, academic staff or other employees;

(k) the participation of students in the affairs of the University;

- (l) the conferment of honorary degrees;
- (m) the withdrawal of degrees, diplomas, certificate and other academic distinctions;
- (n) the institution of fellowships, scholarships, studentships, medals and prizes;
- (o) the maintenance of discipline among the students;
- (p) the establishment and abolition of Schools, Departments, Halls, Colleges and Institutions;
- (q) the conditions under which Colleges and Institutions may be admitted to the privileges of the University and the withdrawal of such privileges;
- (r) the delegation of powers vested in the authorities or officers of the University; and
- (s) all other matters which by this Act to be, or may be provided by the Statutes.

25. Statutes how made.—(1) The first Statutes are those set out in the Schedule.

(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1).

Provided that the Executive Council shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity expressing an opinion in writing on the proposed change, and any opinion so expressed shall be considered by the Executive Council.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the approval of the Visitor who may assent thereto with- hold assent or remit to the Executive Council for consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new additional Statutes or amend or repeal the Statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act.

Provided that the Visitor may on the expiry of the said period of three years, make, within one year from the date of such expiry, such detailed Statutes as he may consider necessary and such detailed Statutes shall be laid before both Houses of Parliament.

26. Ordinances.—(1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

- (a) the admission of students to the University and their enrolment as such;
- (b) the courses of study to be laid down for degrees, diplomas and certificates of the University;
- (c) the medium of instruction and examination;
- (d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken for the granting and obtaining of the same;
- (e) the fees to be charged for courses of instruction at the University and for admission to the examinations, degrees and diplomas of the University;
- (f) the conditions of award of fellowships, studentships, medals and prizes.

the conduct of examinations, including the term of office and of appointment and the duties of examining bodies, examiners and moderators; the conditions of residence of the students of the University;

the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;

the appointment and emoluments of employees other than those for whom provision has been made in the Statutes;

the establishment of Centres of Studies, Boards of Studies, Special Centres, specialised laboratories and other Committees;

the manner of co-operation and collaboration with other Universities and authorities including learned bodies or associations;

the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;

such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes;

the management of Colleges and Institutions established by the University;

the supervision and management of Colleges and Institutions admitted to the privileges of the University; and

all other matters which by this Act or the Statutes may be provided for by the Ordinances.

The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended or added to at any time by the Executive Council in the manner prescribed by the Statutes.

Regulations.—The authorities of the University shall make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their business and that of the Committees appointed by them and not provided for by this Act, the Statutes or Ordinances in the manner prescribed by the Statutes.

Annual Report.—(1) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and the Court shall consider the report in its annual meeting.

The Court shall submit the annual report to the Government along with its comments, if any.

Annual Accounts.—(1) The annual accounts and balance sheet of the University shall be prepared under the direction of the Executive Council and shall once in every year and at intervals of not more than six months be audited by the Comptroller and Auditor General of India.

The annual accounts when audit shall be published in the Gazette of India and a copy of the accounts together with the report of the Court and the Auditor General shall be submitted to the Executive Council.

Along with the observations of the Visitor on the annual accounts shall be brought to the notice of the Court and the observations of the Executive Council, after being considered by the Executive Council, shall be submitted to the Visitor.

30. Conditions of service of employees.—Every employee shall be appointed under a written contract which shall be lodged with the University and a copy

which shall be furnished to the employee concerned.

(2) Any dispute arising out of a contract between the University and any employee shall at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the employee concerned and an umpire appointed by the Visitor. The decision of the Tribunal shall be final, and no suit shall lie, in any Civil Court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940 (2 of 1940.)

31. Procedure of appeal and arbitration in disciplinary cases against students.—(1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify, or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-section (2) of section 30 shall, as far as may be, apply to a reference made under this sub-section.

32. Right to appeal.—Every employee or student of the University or of a College or Institution shall, notwithstanding anything contained in this Act, have a right to appeal, within such time as may be prescribed by the Statutes, to the Executive Council against the decision of any officer or authority to the University or of the Principal or the management of any College or Institution, as the case may be, and thereupon the Executive Council may confirm, modify or reverse the decision appealed against.

33. Provident and pension funds.—(1) The University shall constitute for the benefit of its employees such pension or provident fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where such provident or pension fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 (19 of 1925), shall apply to such fund, as if it were a Government Provident Fund.

34. Dispute as to constitution of University authorities and bodies.—If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

35. Constitution of Committees.—Where any authority of the University is given power by this Act or the Statutes to appoint Committees, such Committees shall, save as otherwise provided, consist of the members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.

36. Filling of casual vacancies.—All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled, as soon as conveniently may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant and the person appointed

elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

37. Proceedings of University authorities or bodies not invalidated by vacancies.—No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

38. Protection of action taken in good faith.—No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or Ordinances.

39. Mode of proof of University record.—A copy of any receipt, application, notice, order, proceeding, resolution of any authority or Committee of the University, or other documents in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceeding or resolution, documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 (1 of 1872) or in any other law for the time being in force.

40. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

41. Transitional provisions.—Notwithstanding anything contained in this Act and the Statutes—

(a) the first Chancellor and the first Vice-Chancellor shall be appointed by the Visitor and each of the said officers shall hold office for a term of five years;

(b) the first Registrar and the first Finance Officer shall be appointed by the Visitor and each of the said officers shall hold office for a term of three years;

(c) the first Court and the first Executive Council shall consist of not more than thirty members and eleven members respectively, who shall be nominated by the Visitor and shall hold office for a term of three years;

(d) the first Academic Council shall be constituted on the expiry of a period of six months from the commencement of this Act and during the said period of six months, the powers of the Academic Council shall be performed by the Planning Board constituted under section 23;

(e) the first Academic Council shall consist of not more than twenty-one members, who shall be nominated by the Visitor and shall hold office for a term of three years:

Provided that if any vacancy occurs in the above offices or authorities, the same shall be filled by appointment or nomination, as the case may be, by the Visitor, and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he is appointed or nominated would have held office, if such vacancy had not occurred.

Completion of courses of students, in Colleges or institutions affiliated to the University.—Notwithstanding

anything contained in this Act, or in the Statutes or Ordinances, any student of a College or Institution who immediately before the admission of such College or Institution to the privileges of the North-Eastern Hill University, was studying for a degree, diploma certificate of the Gauhati University, shall be permitted by the North-Eastern Hill University to complete his course for that degree, diploma or certificate, as the case may be, and the North-Eastern Hill University and such College or Institution shall provide for the instruction and examination of such student in accordance with the syllabus of studies of the Gauhati University.

THE SCHEDULE

[See section 25(1)]

THE STATUTES OF THE UNIVERSITY

1. The Vice-Chancellor.—(1) The Vice-Chancellor shall be a whole-time salaried officer of the University.

(2) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for re-appointment for more than another term:

Provided that notwithstanding the expiry of the period of five years, he shall continue in office if his successor is appointed and enters upon his office.

Provided further that the Visitor may direct the Vice-Chancellor, whose term of office has expired, to continue in office for such period, not exceeding a total period of one year, as may be specified in that direction.

(3) Notwithstanding anything contained in clause 1 a person appointed as Vice-Chancellor shall, if he completes the age of sixty-five years during the term of office or any extension thereof, retire from office.

(4) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be as follows:

(i) There shall be paid to the Vice-Chancellor a salary of two thousand and five hundred rupees per mensem and he shall be entitled, with payment of rent, to use a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.

(ii) The Vice-Chancellor shall not be entitled to benefits of the University Provident Fund:

Provided that where an employee of—

(a) the University or College or Institution maintained by, or affiliated to, it; or

(b) any other University or College or Institution maintained by, or affiliated to, that University is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the Provident Fund in which he is a subscriber, and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as Vice-Chancellor.

(iii) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Executive Council.

(iv) The Vice-Chancellor shall also be entitled to leave on full pay for a period specified in the Statutes.

(v) The Vice-Chancellor shall also be entitled to medical aid by him on active service. The Vice-Chancellor shall also be entitled, during his term of office, to leave without pay for grounds or otherwise, to leave without pay for a period not exceeding three months.

Provided that where an employee of—
on full pay during the term of his office:
under such conditions that such leave may be converted into leave without pay to the extent to which he is entitled to leave under clause (iv).

(5) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise or if he is unable to perform duties owing to absence, illness or any other cause, the Pro-Vice-Chancellor or if there is more than one Vice-Chancellor, the senior-most Pro-Vice-Chancellor, shall perform the duties of the Vice-Chancellor until a new Vice-Chancellor assumes office or until the existing Vice-Chancellor attends to the duties of office, as the case may be:

Provided that if a Pro-Vice-Chancellor is not available, the senior-most Professor shall perform the duties of the Vice-Chancellor.

2. Powers and duties of the Vice-Chancellor.—(1) The Vice-Chancellor shall be *ex-officio* Chairman of the Court, the Executive Council, the Academic Council and the Finance Committee, and shall, in the absence of the Chancellor, preside at the Convocations of the University and conferring degrees. The Vice-Chancellor shall be entitled to be present at, and to address, a meeting of any authority or other body of the University, but shall not be entitled to vote thereat unless a member of such authority or body.

(2) It shall be the duty of the Vice-Chancellor to see that these Statutes, the Ordinances and the Regulations are duly observed, and he shall have all powers necessary to ensure such observance.

(3) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Court, the Executive Council, the Academic Council and the Finance Committee.

3. Vice-Chancellors.—(1) Every Pro-Vice-Chancellor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor:

Provided that where the recommendation of the Vice-Chancellor is not accepted by the Executive Council, the matter shall be referred to the Visitor who may either appoint the person recommended by the Vice-Chancellor or the Vice-Chancellor to recommend another person to the Executive Council:

Provided further that the Executive Council may, on the recommendation of the Vice-Chancellor, appoint a person to discharge the duties of a Pro-Vice-Chancellor in addition to his own duties as a Professor.

(2) The term of office of a Pro-Vice-Chancellor shall be as may be decided by the Executive Council, but it shall in any case exceed five years or until the expiry of the term of office of the Vice-Chancellor, whichever is earlier, and he shall be eligible for re-appointment:

Provided that a Pro-Vice-Chancellor shall retire on attaining the age of sixty-five years.

(3) The emoluments and other terms and conditions of service of a Pro-Vice-Chancellor shall be such as may be prescribed by the Ordinances.

(4) A Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters as may be specified by the Vice-Chancellor in this behalf, from time to time, and shall exercise such powers and perform such duties as may be assigned or delegated to him by the Vice-Chancellor.

Registrar.—(1) The Registrar shall be a whole-time officer of the University.

The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed by the Ordinances:

Provided that the Registrar shall retire on attaining the age of sixty years:

Provided further that a Registrar shall, notwithstanding attaining the age of sixty years, continue in office until his successor is appointed and enters upon

his office or until the expiry of a period of one year whichever is earlier.

(3) When the office of the Registrar is vacant or when the Registrar is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) (a) The Registrar shall have power to take disciplinary action against such of the employees, excluding teachers and academic staff, as may be specified in the orders of the Executive Council and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or the withholding of increment:

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in sub-clause (a).

(c) In a case where the inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations:

Provided that an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty.

(5) The Registrar shall be *ex-officio* Secretary of the Executive Council, the Academic Council and the Boards of Schools, but shall not be deemed to be a member of any of these authorities. He shall be *ex-officio* Member-Secretary of the Court.

(6) It shall be the duty of the Registrar,—

(a) to be the custodian of the records, the common seal and such other property of the University as the Executive Council shall commit to his charge;

(b) to issue all notices convening meetings of the Court, the Executive Council, the Academic Council, the Boards of Schools, the Boards of Studies, the Boards of Examiners and of any Committees appointed by the authorities of the University;

(c) to keep the minutes of all the meetings of the Court, the Executive Council, the Academic Council, the Boards of Schools, and of any Committees appointed by the authorities of the University;

(d) to conduct the official correspondence of the Court, the Executive Council and the Academic Council;

(e) to arrange for and superintend the examinations of the University in accordance with the manner prescribed by the Ordinances;

(f) to supply to the Visitor, copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of such meetings;

(g) to represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representative for the purpose; and

(h) to perform such other duties as may be specified in these Statutes, the Ordinances or the Regulations or as may be required, from time to time, by the Executive Council or the Vice-Chancellor.

5. Finance Officer.—(1) The Finance Officer shall be a whole-time salaried officer of the University.

(2) The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be prescribed by the Ordinances:

Provided that a Finance Officer shall retire on attaining the age of sixty years:

Provided further that the Finance Officer shall, notwithstanding his attaining the age of sixty years, continue in office until his successor is appointed and enters upon his office or until the expiry of a period of one year whichever is earlier.

(3) When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) The Finance Officer shall be *ex-officio* Secretary of the Finance Committee, but shall not be deemed to be a member of such Committee.

(5) The Finance Officer shall—

- (a) exercise general supervision over the funds of the University and shall advise it as regards its financial policy; and
- (b) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by these Statutes or the Ordinances:

Provided that the Financial Officer shall not incur any expenditure or make any investment exceeding ten thousand rupees without the previous approval of the Executive Council.

(6) Subject to the control of the Executive Council the Finance Officer shall—

- (a) hold and manage the property and investments of the University including trust and endowed property;
- (b) ensure that the limits fixed by the Executive Council for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;
- (c) be responsible for the preparation of annual accounts and the budget of the University and for their presentation to the Executive Council;
- (d) keep a constant watch on the state of the cash and bank balances and on the state of investments;
- (e) watch the progress of the collection of revenue and advise on the methods of collection employed;
- (f) ensure that the registers of buildings, land, furniture and equipment are maintained up-to-date and that stock-checking is conducted, of equipment and other consumable materials in all offices, Special Centres, specialised laboratories, Colleges and Institutions maintained by the University;
- (g) call for explanation for unauthorised expenditure for other financial irregularities and suggest disciplinary action against persons at fault; and
- (h) call for from any office, Centre, laboratory, College or Institution maintained by the University, any information or returns that he may consider necessary for the performance of his duties.

(7) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for payment of such money.

6. *Deans of Schools of Studies.*—(1) Every Dean of a School of Studies shall be appointed by the Vice-Chancellor from among the Professors in the School for a

period of three years and he shall be eligible for re-appointment:

Provided that a Dean on attaining the age of sixty years shall cease to hold office, as such:

Provided further that if at any time there is no Professor in a School, the Vice-Chancellor or Pro-Vice-Chancellor if authorised by the Vice-Chancellor in this behalf, exercise the powers of the Dean of School.

(2) When the office of the Dean is vacant or when the Dean is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Dean shall be the Head of the School and shall be responsible for the conduct and maintenance of the standards of teaching and research in the School. The Dean shall have such other functions as may be prescribed by the Ordinances.

(4) The Dean shall have the right to be present and to speak at any meeting of the Boards of Studies, Committees of the School, as the case may be, but shall not have the right to vote thereat unless he is a member thereof.

7. *Heads of Departments.*—(1) In the case of departments which have more than one Professor, the Head of the Department shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor from among the Professors.

(2) In the case of departments where there is only one Professor, the Executive Council shall have the option to appoint, on the recommendation of the Vice-Chancellor, either the Professor or a Reader as the Head of the Department:

Provided that it shall be open to a Professor to decline the offer of appointment as the Head of the Department.

(3) A person appointed as the Head of the Department shall hold office as such for a period of three years and shall be eligible for re-appointment.

(4) A Head of a Department may resign his office at any time during his tenure of office.

(5) A Head of a Department shall perform such duties as may be prescribed by the Ordinances.

8. *Deans of Students' Welfare.*—(1) Every Dean of Students' Welfare shall be appointed from among the teachers of the University, not below the rank of Reader, by the Executive Council on the recommendation of the Vice-Chancellor.

(2) Every Dean appointed under clause (1) shall be a whole time officer and shall hold office for a period of three years and shall be eligible for re-appointment.

Provided that the Executive Council may, if it is considered necessary, appoint, on the recommendation of the Vice-Chancellor, a teacher, not below the rank of Reader, to discharge the duties of the Dean of Students' Welfare in addition to his duties as such teacher, and in such a case, the Executive Council may sanction a special allowance to be paid to him.

(3) A person who is appointed as a Dean of Students' Welfare shall continue to hold his lien on his original post and shall be eligible to all the benefits that he may have otherwise accrued to him, but for his appointment as the Dean of Students' Welfare.

(4) When the office of a Dean of Students' Welfare is vacant or when the Dean of Students' Welfare is, by reason of illness or absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(5) The duties and powers of a Dean of Students' Welfare shall be prescribed by the Ordinances.

9. *Proctors.*—(1) Every Proctor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor.

(2) Every Proctor shall hold office for a term of two years and shall be eligible for re-appointment.

10. *Librarians.*—(1) Every librarian shall be appointed by the Executive Council on the recommendation of the Selection Committee constituted for the purpose and he shall be a whole-time officer of the University.

(2) Every Librarian shall exercise such powers and perform such duties as may be assigned to him by the Executive Council.

11. *Meetings of the Court.*—(1) An annual meeting of the Court shall be held on a date to be fixed by the Executive Council unless some other date has been fixed by the Court in respect of any year.

(2) At an annual meeting of the Court, a report on the working of the University during the previous year, together with a statement of the receipts and expenditure, the balance-sheet, as audited, and the financial estimates for the next year shall be presented.

(3) A copy of the statement of receipts and expenditure, the balance-sheet and the financial estimates referred to in clause (2) shall be sent to every member of the Court at least seven days before the date of the annual meeting.

(4) Twelve members of the Court shall form a quorum for a meeting of the Court.

(5) Special meetings of the Court may be convened by the Executive Council or the Vice-Chancellor, or, if there is no Vice-Chancellor, by a Pro-Vice-Chancellor, or if there is no Pro-Vice-Chancellor, by the Registrar.

12. *Quorum for meetings of the Executive Council.*—Twelve members of the Executive Council shall form a quorum for a meeting of the Executive Council.

13. *Powers and functions of Executive Council.*—(1) The Executive Council shall have the management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of this Act, these Statutes and the Ordinances, the Executive Council shall, in addition to all other powers vested in it, have the following powers, namely:—

- (i) to create teaching and academic posts, to determine the number and emoluments of such posts and to define the duties and conditions of service of Professors, Readers, Lecturers, and other academic staff and Principals of Colleges and Institutions maintained by the University;

Provided that no action shall be taken by the Executive Council in respect of the number, qualifications and emoluments of teachers and academic staff otherwise than after consideration of the recommendations of the Academic Council;

- (ii) to appoint such Professors, Readers, Lecturers and other academic staff as may be necessary, and Principals of Colleges and Institutions maintained by the University on the recommendation of the Selection Committee constituted for the purpose and to fill up temporary vacancies therein;

- (iii) to create administrative, ministerial and other necessary posts and to make appointments there-to in the manner prescribed by the Ordinances;

- (iv) to grant leave of absence to any officer of the University, other than the Vice-Chancellor, and to make recommendations for the discharge of the functions of such officer during his absence;

- (v) to regulate and enforce discipline among employees in accordance with these Statutes and Ordinances;

- (vi) to manage and regulate the finances, investments, property, business and administrative affairs of the University, and for that purpose, to appoint such officers as it may think fit;

- (vii) to fix limits on the total recurring and non-recurring expenditure of the University for any year on the recommendations of the Finance Committee;

- (viii) to invest any money belonging to the University, including any unapplied income in such stocks, funds, shares or securities as it shall, from time to time, think fit, or in the purchase of immovable property in India, with the like powers of varying such investments from time to time;

- (ix) to transfer or accept transfers of any movable or immovable property on behalf of the University;

- (x) to provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;

- (xi) to enter into, vary, carry out and cancel contracts on behalf of the University;

- (xii) to entertain, adjudicate upon, and if thought fit, to redress any grievances of the employees and students of the University, who for any reason feel aggrieved;

- (xiii) to appoint examiners and moderators and, if necessary to remove them, and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;

- (xiv) to select a common seal for the University and provide for the custody and use of such seal;

- (xv) to make such special arrangements as may be necessary for the residence and discipline of women students;

- (xvi) to delegate any of its powers to the Vice-Chancellor, the Pro-Vice-Chancellors, the Registrar or the Finance Officer or such other employee or authority of the University or to a Committee appointed by it as it may deem fit;

- (xvii) to institute fellowships, scholarships, studentships, medals and prizes; and

- (xviii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, or these Statutes.

14. *Quorum for meetings of the Academic Council.*—Nine members of the Academic Council shall form a quorum for a meeting of the Academic Council.

15. *Powers of the Academic Council.*—Subject to this Act, these Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely:—

- (a) to exercise general supervision over the academic policy of the University and to give directions regarding methods of instruction, co-ordinating teaching among Colleges and Institutions, evaluation of research or improvement in academic standards;

- (b) to bring about inter-School co-operation and to establish or appoint a Committee

(2) The emolument of service of the person taking up projects on an inter-School basis shall be prescribed by the Board.

Provided that a person shall not be considered for appointment on his own initiative or on a reference by the School or the Executive Council and to take appropriate action thereon; and

Provided further that the Board shall frame such regulations and rules consistent with these Statutes and the Ordinances regarding the academic functioning of the University, discipline, residences, admissions, award of fellowships and studentships, fee concessions, or when the person is on leave or absence or any other

of his office, the duties of the Board.—(1) The members of the Board shall be appointed by the Visitor and the Executive Council for such period as he may determine.

(2) The Planning Board shall, in addition to all other powers vested in it by this Act, have the right to advise the Executive Council and the Academic Council on any academic matter.

(3) On the date determined by the Visitor under sub-section (3) of section 23, this Statute shall cease to have effect.

17. *Schools of Studies and Departments.*—(1) The University shall have such Schools of Studies as may be specified by the Ordinances.

(2) Every School shall have a School Board. The members of the first School Board shall be nominated by the Executive Council and shall hold office for a period of three years.

(3) The powers and functions of a School Board shall be prescribed by the Ordinances.

(4) The conduct of the meetings of a School Board and the quorum required for such meetings shall be prescribed by the Ordinances.

(5) (a) Each School shall consist of such Departments as may be assigned to it by the Ordinances.

(b) No Department shall be established or abolished except by these Statutes:

Provided that the Executive Council may, on the recommendation of the Academic Council, establish Centres of Studies to which may be assigned such teachers of the University as the Executive Council may consider necessary.

(c) Each Department shall consist of the following members, namely:—

(i) teachers of the Department;

(ii) persons conducting research in the Department;

(iii) Dean of the School or Deans of the Schools concerned;

(iv) honorary Professors, if any, attached to the Department; and

(v) such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

18. *Boards of Studies.*—(1) Each Department shall have two Boards of Studies, one for Post-graduate Studies and the other for Under-graduate Studies.

(2) The constitution of a Board of Post-graduate Studies and the term of office of its members shall be prescribed by the Ordinances.

(3) The functions of a Board of Post-graduate Studies shall be to approve subjects for research for various degrees and other requirements of research degrees and to recommend to the concerned School Board in the manner prescribed by the Ordinances:—

(a) courses of studies and appointment of examiners for post-graduate courses, excluding research degrees; and

(c) measures for the improvement of the standard of post-graduate teaching and research:

Provided that the above functions of a Board of Post-graduate Studies shall, during the period of one year immediately after the commencement of the Act, be performed by the Department.

(4) The constitution and functions of a Board of Under-graduate Studies and the term of office of its members shall be prescribed by the Ordinances.

19. *Finance Committee.*—(1) The Finance Committee shall consist of the following members, namely:

(i) The Vice-Chancellor;

(ii) A Pro-Vice-Chancellor appointed by the Executive Council;

(iii) Three persons nominated by the Executive Council, out of whom at least one shall be a member of the Executive Council; and

(iv) Three persons nominated by the Visitor.

(2) Five members of the Finance Committee shall form a quorum for a meeting of the Finance Committee.

(3) All the members of the Finance Committee other than *ex-officio* members, shall hold office for a term of three years.

(4) A member of the Finance Committee shall have the right to record a minute of dissent if he does not agree with any decision of the Finance Committee.

(5) The Finance Committee shall meet at least twice every year to examine the accounts and scrutinise proposals for expenditure.

(6) The annual accounts and the financial statements of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Executive Council for approval.

(7) The Finance Committee shall recommend limits for the total recurring expenditure and total non-recurring expenditure for the year, on the income and resources of the University (which, in the case of productive works, may include the proceeds of loans).

20. *Selection Committees.*—(1) There shall be Selection Committees for making recommendations to the Executive Council for appointment to the posts of Professor, Reader, Lecturer, Librarian and other posts of Colleges and Institutions maintained by the University.

(2) The Selection Committee for appointment to the posts specified in column 1 of the Table shall consist of the Vice-Chancellor, a Pro-Vice-Chancellor appointed by the Executive Council, a member of the Visitor and the persons specified in the corresponding entry in column 2 of the said Table.

TABLE

1	2
Professor	(i) The Head of the Department concerned if he is a Professor; (ii) One Professor to be nominated by the Vice-Chancellor; (iii) Two persons not in the service of the University, nominated by the Executive Council, or a panel of names recommended by the Academic Council, on the basis of their special knowledge of the subject with interest in the subject with the Professor will be concerned.